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John McLaughlin on Reagan Supreme Court

—See page 20

NATIONAL REVIEW

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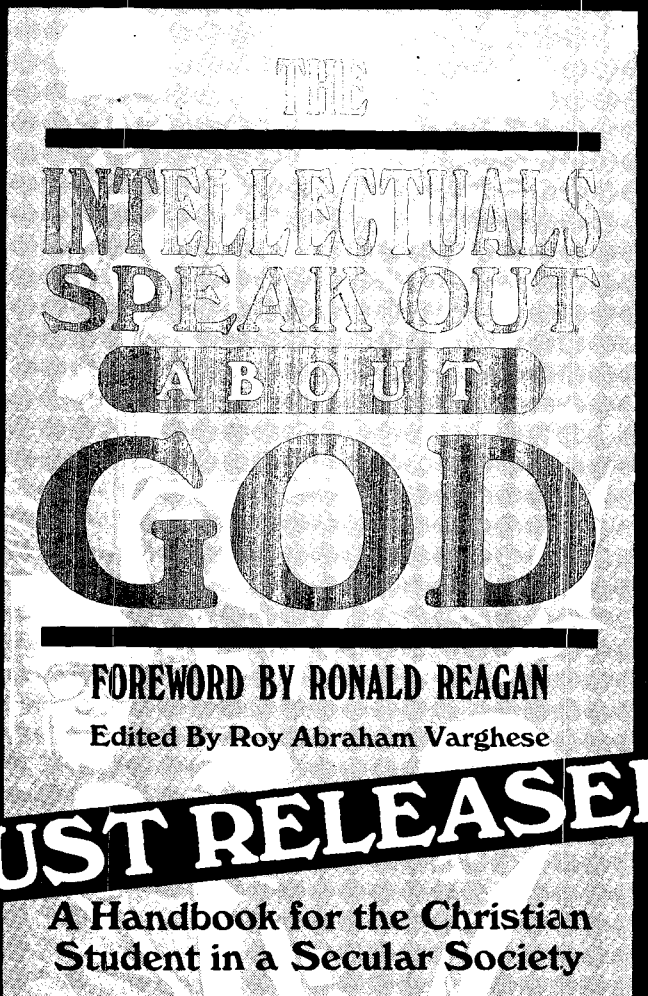

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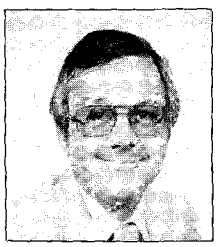
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LETTERS

Too Many Cooks

Both the articles on Nicaragua in the August 24 issue ["Senator Moynihan and the World Court"; "Can Congress Keep a Secret?"] were informative and enlightening. The more I hear about the role of Congress in regulating foreign policy the more I regret its involvement. If Pat Moynihan and his crew of congressional mechanics insist on wrenching our politics askew, I wish they would confine their zeal to domestic policy, where the damage is not irreversible.

As for the World Court, I find it ironic that the United States is protecting its national security by virtue of a quirk in international law insisted upon by Stalin for the purpose of furthering his aggressive aims. But I suppose that's the way law works. As my mother used to say to me, "The kitchen door swings both ways—for the good chillun and the bad."

Colin Angenni
Charleston, S.C.

Writ of Error

Professor Graglia's statement ["Was the Constitution a Good Idea?" July 13] that the exclusionary rule is solely an invention of the Warren Court, the effect of which is to divert the major issue in American criminal trials from the guilt of the accused to the procedures by which the evidence of guilt was obtained, is wrong in two respects.

First, the exclusionary rule was first recognized, although not so named, in the 1886 case of *Boyd* v. *U.S.*, where the U.S. Supreme Court held that evidence obtained through a subpoena violating the Fifth Amendment could not be used in a federal forfeiture case. In 1914 the Court applied the exclusionary rule for Fourth Amendment violations to federal, although not state, prosecutions in the case of *Weeks* v. *U.S.* However, the states began adopting the exclusionary rule on their own, and by 1960, when the *Mapp* case mandated the rule in all jurisdictions, 26 states had already adopted it. Thus, while compelling the remaining states to adopt the exclusionary rule was probably revolutionary, the rule itself was by no means "solely an invention of the Warren Court."

Second, the exclusionary rule is an important issue in relatively few cases and is outcome-determinative in fewer. It is certainly not the major issue in most cases.

The exclusionary rule is not a good way to deal with violations of Fourth Amendment freedoms. It was seized on when it became clear that nothing was going to be done by the executive and legislative branches to curtail widespread violations of constitutional rights. Justice Burger pointed out in the 1971 case of *Bivens* v. *Six Unknown Agents* that if viable alternatives to the rule could be found, its use might be greatly restricted.

G. Joseph Pierron
District Judge
District Court of Kansas
Olathe, Kan.

Mr. Graglia Replies

Judge Pierron is correct that the exclusionary rule was not invented by the Warren Court but by an earlier Court. My request to NATIONAL REVIEW that "Warren" be changed to "Supreme" was for some reason not acted on. The inaccuracy, however, is not great. As Judge Pierron notes, it was the Warren Court that made the revolutionary move of extending the rule to the states—from one jurisdiction to 51—giving it its present importance.

Judge Pierron is also correct that the rule is not the major issue in most cases, but that is not to say much for it. Most criminal cases are determined by plea bargaining, where the exclusionary rule, by increasing the risks and costs of prosecution, operates to require that some charges be dropped entirely and that others be reduced. The rule is typically the focus of attention in drug cases and other cases involving physical evidence; it accounts for a large fraction of criminal appeals and appellate-court effort; and it undermines public faith in the seriousness and effectiveness of the criminal law.

Judge Pierron is quite wrong, however, in arguing that the exclusionary rule can be defended as a judicial attempt to "curtail widespread violations of constitutional rights" by law-enforcement officials. The whole point of my article, missed or ignored by Judge Pierron, is that no such rights are in fact involved in so-called constitutional cases, that the judicial remaking of our society according to the views of the ACLU cannot be attributed to the Constitution and is de-

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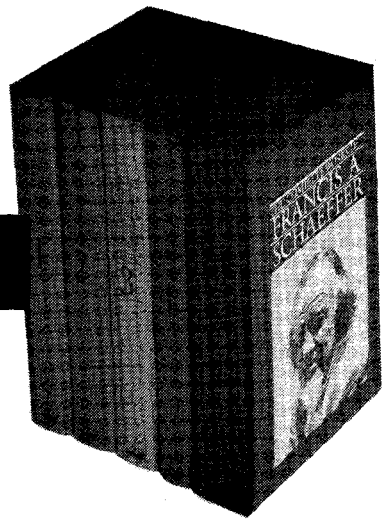

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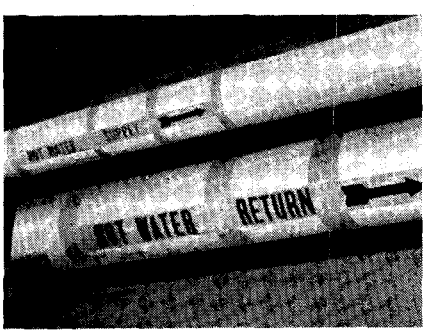

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monstrably the result of nothing more than the judges' policy preferences. Judge Pierron ignores, for example, that the Fourth Amendment, the supposed source of the exclusionary rule, was not meant to be applied to the states. The "constitutional rights" of state criminal defendants referred to by Judge Pierron are therefore, like the exclusionary rule itself, wholly judge-concocted.

When judges and academics speak of "constitutional rights" in criminal matters, they invariably refer only to the interests of the accused; they are apparently unable to consider that the victims and potential victims of crime also have interests worth protecting that can be expressed as "constitutional rights."

Finally, I am not sure that suggesting alternatives to the exclusionary rule is necessary, because I do not believe that unwarranted police intrusion on personal privacy is currently a serious social problem, at least not in comparison with the problem of crime. I could suggest, however, the rule that police invasions of personal privacy without court permission be at the police's own risk. If evidence of serious crime is found, that can be taken as establishing that the invasion was in fact warranted. If no such evidence is found, the innocent aggrieved person can be allowed an action for any provable damages suffered—though I personally would rather thank the police for being so energetic in my defense.

Lino A. Graglia

Papal Bull

You conservatives have been running around hollering from the rooftops that the Russians were behind the attempt on the life of Pope John Paul II ["The Week," July 13]. Now that the evidence seems to be conclusive, let me ask if you have considered what might be the real truth: that Mehmet Ali Agca might have, for a split second, mistaken the Pontiff for an American reconnaissance plane being used for spying purposes.

George R. Koodray
Rockaway, N.J.

Protracted Confusion

Brian Crozier's column in the June 15 issue is not up to his usual standards. Aside from substantial generalities, he follows the cliché-makers when he offhandedly asserts the so-called "warm-water port" dream of Russia—and then proceeds blithely to stagger us with the clumsy claim that czarist Russia aspired to world conquest.

I resent such a ludicrous claim, which has no basis historically. It betrays ignorance of Russian history on Mr. Cro-

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zier's part. He may know the Soviets, but he makes the common mistake of the neophyte in history of equating Soviet and Russian. The Western (especially American) failure to realize that difference, and inferentially to confer on Russian ethnics the stigma of Communism as a result, signifies to me that the U.S.A. and the West will never truly understand Communism and hence will never field the resources to defeat it.

Nickolas Lupinin
Clifton, N.J.

Russia's messianic and imperial ambitions are well documented. However, Mr. Lupinin may be reassured to know that, despite his impression to the contrary, I have never *made the mistake of identifying Soviet with Russian. On the contrary, I regard the Soviet system as, in the first instance, oppressive of the Russian people and indeed of the peoples of "all the Russias." The fact remains that the original Muscovy expanded all the way to the borders of China, and that Lenin, having inherited an empire apparently disintegrating, swiftly restored the czarist boundaries under Soviet rule; Stalin and his successors extended the empire beyond any dreams the czars may have had.* —BC

Mistaken Identity

If Jacques Maritain stood in a queue to declare himself Jewish ["The Week," May 18], the line must have formed along Nassau Street or Park Avenue. During the Nazi occupation the Maritains were manning the barricades in Princeton and Manhattan.

Neil McCaffrey
Harrison, N.Y.

Quite right. The author of that editorial has done some rechecking, and has discovered that he was suffering a crise de mémoire. *It was not Jacques Maritain who stood in that line but Henri Bergson, who was indeed a Jew but who, as our author's informant writes, was "forgiven by the Nazi occupation force from having to register as a Jew, because of his eminence in the world of letters." However, "He chose not to accept the amnesty but stood in line with others, resting on the arm of his servant, and signed himself, 'H. Bergson, Jew.' He was crippled with arthritis at the time and shortly thereafter died of pneumonia. Whether his death was a direct consequence of standing in line I do not know." Our author adds: "A correction would be good to print, for it serves to honor the memory of a noble man and a noble deed."* —LB

PLANT CLOSINGS: PUBLIC OR PRIVATE CHOICES?

Richard B. McKenzie
Editor

As the recovery affects different regions unevenly, laws to restrict plant closings and relocations are being considered in Congress and many state legislatures. In this collection of essays, editor Richard McKenzie of Clemson University and other scholars look at the impact of plant closing laws on employment. Such distinguished scholars and policy makers as Charles L. Schultze, James C. Miller III, and William H. Branson broaden the discussion to the overall subject of industrial policy. This book is a vital part of the debate over industrial policy and plant closings. *326 pp. $9.50*

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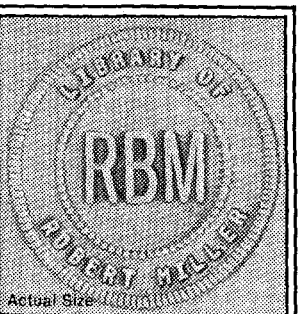

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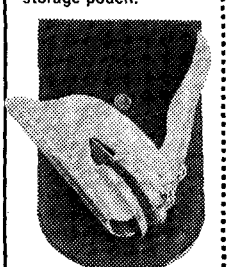

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FOR THE RECORD

The GOP assembled in Dallas to cheering news. Less than three weeks after Democratic Convention, **Ronald Reagan** was leading **Walter Mondale** by 10 to 15 points in major polls. . . . A **Gallup** breakdown (July 30) showed Mondale-**Ferraro** support squishy soft. Of 42 per cent who favor them, only 19 per cent said they "strongly backed" ticket. Reagan-**Bush** figures: 32 out of 52 per cent who back GOP ticket are "strongly" in favor. . . . Gallup monthly rundown on how President is handling his job shows approval rating ranging from 51 to 53 per cent in last eight months. Comments *Richmond Times Dispatch*, "a trend of this sort in a presidential year is unprecedented in Gallup history." . . . Why couldn't Democrats capitalize better on their convention, particularly after stemwinders by **Mario Cuomo** and **Jesse Jackson**? Respected *Congressional Quarterly* offers a shrewd guess. Absent from the convention, it says, were "those centrists and conservative forces that are the source of party strength in many regions of the country. Nobody at this convention," added *CQ*, "called for construction of the MX missile, nobody defended income-tax indexing, nobody publicly disputed the gay-rights plank in the platform. The people who used to do that, with a few notable exceptions, no longer attend Democratic conventions." . . . Has Mrs. Ferraro helped with Italian Catholics? Not so as you'd notice in heavily Italian New Jersey and Connecticut, where post-convention, ante-disclosure-flap polls showed Reagan leading Mondale 55 to 35 in Connecticut (*Hartford Courant*) and 55 to 32 in New Jersey (*Newark Star-Ledger*). . . . A **Darden** poll of nine Southern states (July 24 to 30) shows Reagan getting 69 per cent of white vote, a lead that, says **Kevin Phillips**, can't be offset by higher black registration. . . . In fact, Phillips now predicts a 6- to 12-point lead for Reagan on November 6, Mondale-Ferraro having failed to create "the sort of gender gap, generation gap, or registration dynamics the Democrats need to win."

Some House races of national interest: In California's 38th CD, former Rep. **Robert K. Dornan**, who was redistricted out of the House two years ago, is off and running in conservative Orange County against incumbent **Jerry Patterson**. Dornan's problem: to convince District voters that Patterson (ACA 14; ADA 90) really is a liberal. . . . Incidentally, in California's 8th CD, **Eldridge Cleaver**, who had been running as an independent against radical Rep. **Ron Dellums**, has dropped out. Money problems. . . . Polls conflict in Oklahoma's 1st CD, where two conservatives, **Frank Keating** and **Tom Cantrell**, are battling it out for chance to run against Democrat **Jim Jones**, chairman of powerful House Budget Committee. All polls show Keating ahead, but figures vary substantially. Primary is next week. Jones could lose in November. . . . Watch Arkansas's 2nd CD, where conservative Republican **Judy Petty** is running a Right-Left campaign against Sheriff **Tommy Robinson**. Mrs. Petty first came to national attention ten years ago when she took on House Speaker **Wilbur Mills** and came close to completing the job stripper **Fanne Foxe** had started a few months earlier, i.e., ending his political career. . . . In Senate races, West Virginia *Charleston Gazette* shows political newcomer **John Raese** running surprisingly well against Gov. **Jay Rockefeller**. Rockefeller holds narrow 8-point lead. . . . In Michigan, it's former space-shuttle astronaut **Jack Lousma** against liberal Democratic Sen. **Carl Levin**. Lousma beat out former Gypsy Moth Rep. **Jim Dunn** in close primary. Levin could be vulnerable. . . . Public-relations consultant **Victor Kamber**'s Politicards '84 are now on sale. The only deck in the world, he says, "where **Tip O'Neill**, George Bush, **Nancy Reagan**, Jesse Jackson, and **James Watt** add up to a straight!"

Holland, *Daily Telegraph* / Rotheo

"Oh dear! I think I felt a drop of fungicide!"

The European parliament has instructed its president, **Pierre Pflimlin**, to send a delegation to the Soviet Union to visit with **Andrei Sakharov**. . . . In New York, Mayor **Edward Koch** has named the corner of 67th Street and Third Avenue "Sakharov-**Bonner** Corner." The Soviet UN Mission is half a block away. . . . **Vladimir Brodsky**, of the Group to Establish Trust between the U.S.A. and the USSR, says fifty members of his group have been arrested for urging a summit meeting on disarmament and two of them remanded to psychiatric hospitals. . . . Col. **Qaddafi**'s latest caper is the seizure of a Norwegian freighter in Tripoli. It was released after its owners pledged not to reveal what had happened aboard. The Norwegian government is protesting the torture of two sailors, one of whom died of his wounds. . . . In Rome, the Vatican has announced that unless the four priests (the **Cardenal** brothers, Foreign Minister **Miguel d'Escoto**, and OAS Amb. **Edgardo Parrales**) who are members of the Sandinista government drop those jobs by Aug. 31, they will be forbidden to exercise their priestly duties.

Pulling a fast one: Upper Volta is acting as president of the UN Security Council this month (the chairmanship rotates alphabetically each month). It will be chairman again in October under its new name: Bourkina Fasso.

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—Henry Kissinger
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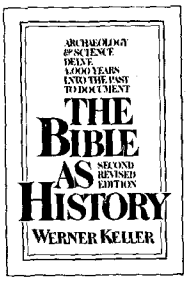
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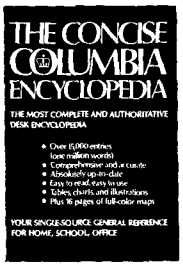
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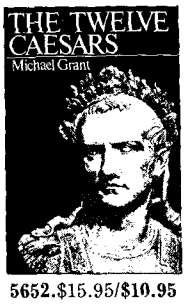

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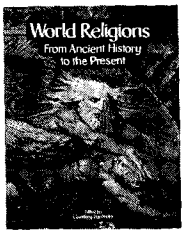

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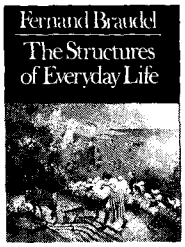

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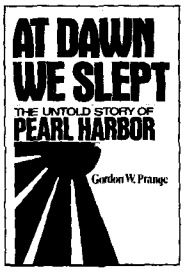

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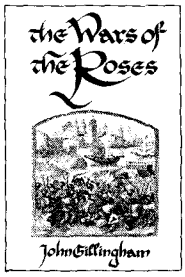

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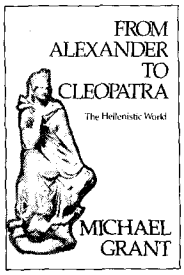

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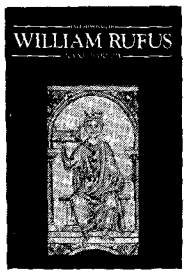

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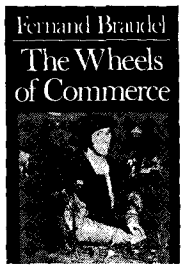

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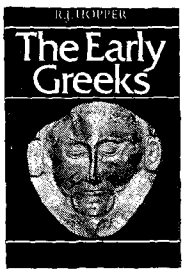

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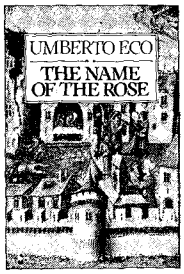

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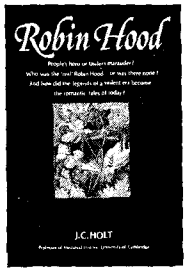

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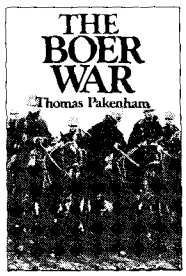

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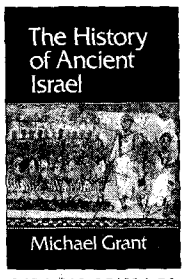

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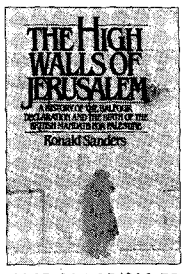

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THE WEEK

☐ Does Walter Mondale have a secret plan to pardon Gerry Ferraro after the election?

☐ Watch Tip closely. 1) It has been reported, in *New York* magazine, that he sees in Gerry Ferraro "a younger, female version of himself." 2) He hasn't mentioned the "sleaze factor" lately. 3) He now thinks Congress's financial-disclosure laws (which he helped pass) were misconceived. 4) "I don't think that in any way she has broken the law, from what I hear around here."

☐ Among other things, Gerry Ferraro seems to have blown half the Italian vote. Explaining her husband's refusal to release his tax returns, she quipped: "You people married to Italian men, you know how it is." Aldo Caira, president of the 100,000-member Sons of Italy, called the remark "unfortunate," with "no relevance at all to the issue" of the tax returns, "a broad-brush thing that covered all Italian men. It's one of the things [we have] tried very diligently to do away with, the stereotyping of any kind." And she walks around saying she's a good Italian. We don't believe it for a minute.

☐ Nixon has proposed a compromise. Judge Sirica will read John Zaccaro's tax returns and certify as to whether there was wrongdoing.

☐ Treasury Secretary Regan did something truly amazing in the last week of July, when he sent a four-page memo to C. Todd Conover (comptroller of the currency), William M. Isaac (chairman of the FDIC), and Paul A. Volcker (chairman of the Federal Reserve Board), in which he raised serious questions about their plan to rescue the Continental Illinois National Bank. The memo said, in part: "A rationale which is consistent with the FDIC's statutory authority has not yet been provided. It is inappropriate public policy to place the FDIC in a position which is junior to the existing creditors of the holding company. We believe it is bad public policy, would be seen to be unfair vis-à-vis past FDIC/Federal Reserve Bank supervisory policies, and represents an unauthorized and unlegislated expansion of federal guarantees in contravention of executive-branch policy, which lacks explicit congressional authorization." Quite a challenge, there. The Senate Finance Committee has not set its schedule of hearings for September as yet, but the word on Capitol Hill is that Congress will be taking a serious look at the legal basis of the newly expanded rescue operations of several executive-branch agencies.

☐ Amid the black-power salutes and radicalism of the 1968 Olympics in Mexico City, one American athlete did something unusual. Heavyweight boxer George Foreman decimated a Soviet opponent for the gold, then produced and waved an American flag before a sullen crowd. In a poignant and little-reported moment in Los Angeles this year, Foreman was introduced to a new generation of Olympic fans, and again he proudly bore the flag: This time "they rose and cheered, filling the old arena with an emotional ovation that brought tears to many." "All I've ever tried to tell anyone is that I'm not a black man or a white man or anything else. All I've ever been was an American," Foreman said. Few men have said more or better.

☐ It wasn't all flags or tears at the national anthem. Better still were hugs by the competitors, athletes rushing to the stands to embrace their parents, and prayers of thanksgiving. More conspicuously in the TV eye than most, but not alone, the three American sprinters who swept the 200-meter race, led by Carl Lewis, did a turn with the flag, embraced family, then knelt side by side on the track to pray. Few men have said more or better.

President Ferraro

She's lovely and the folks in Queens,
From seniors down to voting teens,
Adore their congressperson, but
As Geraldine begins to strut
Upon a larger stage, I think
Her ratings will begin to shrink
When voters wonder what's ahead
If Walter Mondale wakes up dead.

W. H. von Dreele

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LETTER FROM WASHINGTON

WALTER MONDALE threw out a tax net, and Ronald Reagan got himself tangled up in it. The Democrats here laughed at the President—cackled is a better word. "How can Reagan get so badly fouled up?" they asked. "First no taxes; then maybe taxes; then back to no taxes; then all options open." Finally (and mercifully) taxes only as a last resort. Prior to this series of gaffes, Democrats had been going around moaning, "Cripes, we don't have a chance. The election doesn't make a damn bit of difference. Let's face it: four more years of Reagan." But after seeing Reagan's bungling of this issue, the Democrats brightened up considerably: "Let's wait and see. We've got an election coming. We've got a horse race." In a word, Mondale's tax taunt pumped up the troops and brought unity, however ephemeral.

The President's original mistake, of course, was allowing himself to be engaged. On the shores of Normandy in June, when Walter Cronkite asked him how he was going to campaign, Mr. Reagan shrewdly replied that he would ignore his opponent. But on this issue he let Mondale engage him, and that made Fritz look like a winner. Fortunately the sleight of hand is now visible for what it is, namely, theater of the absurd. Imagine Walter Mondale, with his tax-tax, spend-spend addiction, constructing an effective offense on the promise to raise taxes and luring Reagan into his coils, when everyone knows that tax raising is the first thing that Mondale as President would do, and the last thing Reagan would do. At least that signal is coming through.

The lessons here are twofold: Mondale and his handlers are able to mount an imaginative political tour de force, and Reagan, while good at offensive politics, is a weaker defensive player. If Mondale could do this with the tax-increase issue, pundits here are saying, maybe he can do it again with, say, Central America, or the military budget, or tax reform.

One side benefit is that Mr. Mondale may stimulate Mr. Reagan to design a tax-reform package and make it known before the election. Democratic Senator Bill Bradley and Representative Richard Gephardt (authors of the tax-reform bill bearing their names) were in Minneapolis recently conferring with their leader, and the publication of a tax-reform plan by Mr. Mondale is thought here to be only days away. Doubtless this will trigger a counter-offering, with specifics, by the Republican candidate. The street wisdom here is that Representative Jack Kemp and Senator Robert Kasten (authors of the Republican tax-reform package) are moving toward détente with Messrs. Bradley and Gephardt, stressing similarities in their flat-tax schemes rather than differences. So, it is being said, the four are planning a marriage of convenience, each pair realizing that without the other they can't possibly get their bill passed. Watch for tax-reform nuptials, therefore, right after the election, with Ronald Reagan officiating at and blessing the union.

The big *sotto voce* story in Washington—one that is consuming the capitol—is the Ferraro/Zaccaro income-disclosure drama, and whether it will unravel into a full-scale political tragedy. Speculation rages as to why John Zaccaro has blacked out his income-tax returns, despite his wife's earlier promise to go public. Mr. Z. told her, she says, that such a disclosure would impair his business. Really? No one is asking that his corporate returns on his two companies (P. Zaccaro & Co. and Frajo Associates, Inc.) be made public, only his personal returns. There is some speculation here that the returns might show that Zaccaro was falsely magnifying his assets for credit purposes, or that he paid no income tax (legal, perhaps, but very damaging politically), or, worse, that he under-reported his income.

So the bloom is rapidly coming off the Ferraro rose. Washington insiders are wondering whether we shall soon be waking up in the morning and racing for the newspapers, as happened during the Watergate months, to discover what the latest Ferraro/Zaccaro revelation is. —CATO

☐ Kurt Thomas, the former gymnast and color commentator for ABC, remarked how interesting it was to compete freely on merit, without having Soviet-bloc judges, in their notorious practice, scoring the competitions on Leninist political lines (roughly, USSR 10.0, Bo Derek, 3.2). Good riddance. It has been a long time since the Olympic ideal of fair and open competition has been observed—about as long as the Soviets have been cheating.

☐ President Mobutu Sese Seko of Zaire has been re-elected with a heartwarming 99.16 per cent of the vote, up sharply from the 98.18 per cent he captured in 1977. Analysts are unsure whether to attribute the success to the president's dashing appearance in leopard-skin hat and cane, the lack of opposition, the constitutional requirement to pursue "Mobutuism," forced voting under police observation, campaign downplaying of an 80 per cent currency devaluation, or the sheer personal achievement of his amassing a personal fortune of as much as $100 million in a country where the average annual income is about $300. Curiously, the opposition vote of 0.84 per cent is exactly equal to the percentage of Western journalists who have reservations about "revolutionary" black regimes in Africa.

☐ The House of Representatives has approved a compromise agreement with the Senate authorizing $70 million in military aid to El Salvador. The amount is well below the $117 million requested by the Administration, but it represents a substantial victory for President Reagan's Central American policy. The original inclination of the House had been to give El Salvador nothing, evidently on the grounds that the United States should not help El Salvador solve its problems until it has solved all its problems. Duarte's personal diplomacy on the Hill, however, coupled with the real progress he has made in improving the human-rights situation in El Salvador, has reversed

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this attitude. "Duarte has changed the whole tenor of the debate," said Representative Dante Fascell, chairman of the House Foreign Affairs Committee. More liberal congressmen acknowledged the same, however grudgingly. Congress has rewarded itself for this uncharacteristic fit of good judgment with a one-month vacation. Why not extend the reward indefinitely?

☐ The Tories are rising in Canada. Preparing for the September 4 elections, the Conservative Party, under Brian Mulroney, has overtaken the Liberal Party, under John Turner. A Canadian TV poll shows the Tories leading the Liberals 45 to 36 per cent. According to a political columnist for the *Toronto Star*, all that remains to be seen "is whether Mulroney will win by a minority, or by a majority as is probable." On another ideological front, veteran Canadian journalist David Levy has formed the Sakharov Institute for the Study of the Soviet Union. The group is dry-docked at the moment. Canada's Department of Consumer and Corporate Affairs refused incorporation for lack of formal permission to use the name of Sakharov, who lately has been unavailable to grant permission for anything, as he has been busy starving to death.

☐ William Bennett, chairman of the National Endowment for the Humanities, recently conducted an informal poll on the question of what high-school students ought to read. The 325 respondents outlined a pretty good curriculum. Here are the top ten choices: Shakespeare (*Macbeth* and *Hamlet*), documents of American history (the Constitution, the Declaration of Independence), *Huckleberry Finn*, the Bible, Homer (the *Odyssey*, the *Iliad*), Dickens (*Great Expectations*, *A Tale of Two Cities*), *The Republic, Grapes of Wrath, The Scarlet Letter, Oedipus*—no real surprises there, with the possible exception of *Grapes of Wrath*. Joy Adler, a high-school teacher who was asked to contribute a list, said: "Two years ago I would have said that wasn't possible. We're such a pluralistic society. But I've become aware of the need for a minimum common base. . . . Where do you draw your analogies and examples from when the students don't have a common experience?" Joy Adler is smarter than the deans of some of our major institutions of higher learning, but she is not alone: There was no trendy junk in the entire list of thirty recommendations. Times are changing.

☐ In case you were wondering about the outbreak of lawsuits over exposure to asbestos, many dating back to World War II, the following Rand Corporation figures may shed some light: For each dollar of the settlements given victims, defense lawyers were awarded 95 cents, plaintiffs' lawyers 64 cents.

☐ After her "vehicle" was struck from behind by a car and killed, Kathie T. Smith of Kingman, Arizona, was ticketed for riding at night without putting a taillight on her horse. It is probably only a matter of time until horses get turn signals, impact-resistant bumpers, and lead-free oats, and we can't wait to see the chase scene in the next Western movie.

☐ The *New York Times* reports that Walter Mondale has adopted "new campaign themes" that sound "uncharacteristically conservative, even like President Reagan's: the limits of government, reduced spending, the rewards of hard work, law and order, patriotism, realism, family and religious values," etc. He also says he is a Christian, and that "my faith is central to my life." Meanwhile, Gerry Ferraro is talking about "a strong defense," "making America Number One," and throwing criminals in jail. They sound like a couple of right-wing nuts.

Eagleton cum Watergate?

ALL THE Mondale campaign needed was a Watergate. Suddenly the "sleaze factor" is enveloping the party that wanted a special prosecutor to investigate Ed Meese's cufflinks.

As we go to press, Geraldine Ferraro has withdrawn her promise to release her husband's tax returns. She may have to release the substance of them anyway: The Washington Legal Foundation has challenged her exemption from the usual congressional disclosure requirements, since she appears to have knowledge of her spouse's business affairs (as secretary-treasurer of his company) and to profit from them (as stockholder). The modest fines John Zaccaro and the Ferraro campaign paid for a large illegal loan in 1978 were modest only because Zaccaro and an aide filed affidavits swearing that they had been misled by a lawyer who assured them the loan was legal; but that lawyer, upon hearing of this for the first time, is boiling mad, insisting he told them the loan violated the law. (He has even invited a polygraph test.) Several of Zaccaro's real-estate firm's buildings appear to house dubious operations, and more revelations seem to be imminent. There may be dynamite in those tax returns, too: Withholding them is damaging enough, but Mrs. Ferraro seems to feel that releasing them would be worse. Her attempt to pass this decision off as her husband's ("You people married to Italian men, you know how it is") is neither amusing nor convincing. (What *is* amusing is that this two-fisted feminist should instinctively fall back on sexual and ethnic stereotypes as a line of defense.)

Mrs. Ferraro has been acting nervous—"very paranoid," according to one congressional colleague—about the disclosure issue. At a private meeting with Southern Democrats, she said she would "get even"

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with those who had raised it. Later she said she was just kidding. But after all, hers wasn't a joke about nuclear bombs.

The Lowdown on the Deficit

DO DEFICITS lead to higher interest rates? Lindley H. Clark Jr. of the *Wall Street Journal* thinks they do. So do Senators Nancy Kassebaum, Joseph Biden, Charles Grassley, and Max Baucus. Joseph Pechman, a Brookings Institution tax expert who is now a visiting scholar at the Hoover Institution, thinks so too. The *Wall Street Journal* doesn't care: because it sees the deficit fading away to zero by 1989 as a result of economic growth. Beryl Sprinkel, Under Secretary of the Treasury for Monetary Affairs, points out that the deficit has grown from around 1 per cent of GNP in the early 1970s to 7 per cent in 1983, and adds that "deficits do matter, but they matter in different ways than what is commonly asserted." Milton Friedman, Sprinkel's teacher, takes much the same position: "I see no way to judge whether a deficit of $200 billion or an additional legislated tax of $200 billion crowds out more private investment and so leads to higher interest rates. The empirical evidence . . . is scanty and hardly decisive . . . To summarize, deficits are bad—but not because they necessarily raise interest rates. They are bad because they encourage political irresponsibility."

Senator William Roth finds the deficits "outrageous and unacceptable." Representative Jack Kemp says deficits do matter, but not because some people say they're the sole cause of high interest rates—because, instead, they're used as the pretext for raising taxes. Bruce MacLaury, president of the Brookings Institution, says deficits "do matter because they create the worrisome prospect of higher interest rates that 'crowd out' private borrowers. . . ." Professor Paul McCracken, former chairman of the President's Council of Economic Advisors, says that a string of deficit years will inevitably lead to higher interest rates. John Rutledge, president of the Claremont Economics Institute, agrees, but minimizes the effect, foreseeing $300-billion deficits and 8 per cent T-bill rates in 1988. Professor Herbert Stein, another former chairman of the President's Council, says deficits do not necessarily cause inflation and higher interest rates but do mess up the capital flow: "They affect the division of total output between investment and other uses in a direction unfavorable to investment and to long-term growth of capacity to produce."

Evan Galbraith, international banker and now our ambassador to France, argues against "crowding out": "The evidence suggests that our market can absorb large deficits—provided investors are convinced that inflation will be contained at low levels." Columnist William Safire denies that deficits "crowd out" and quotes a Treasury report by Manuel Johnson: "Existing empirical evidence points toward no systematic relationship between government budget deficits and interest rates or exchange rates." A report issued by the Bipartisan Budget Appeal (former Treasury Secretaries Michael Blumenthal, John Connally, Douglas Dillon, Henry Fowler, and William Simon, and former Commerce Secretary Peter Peterson) says continued deficits will lead to federal borrowing that "crowds out" the private sector and brings high interest rates "for the foreseeable future." Geraldine Ferraro has promised her husband she won't talk about money matters.

Population and U.S. Policy

HONG KONG, Japan, and Taiwan have few natural resources. All have high population density. Yet all also have high per-capita income, and they do not complain about a "population problem." All of them are relative newcomers to the ranks of industrial nations, and all of them have become legendary for their prosperity.

Mexico, Brazil, India, and China have population problems, and Mexico has gone into the business of exporting its problem to the American Sunbelt. Yet all possess enormous natural resources. What is going on here?

In a word, socialism plus corruption, the latter both systemic and personal. As James Buckley explained at the United Nations Conference on Population, the "population problem" is a derivative of political and economic structure.

The case seems irrefutable. As productivity and per-capita income increase, even in nations that are weak in natural resources, birth rates level off and even high density is not a problem. Under conditions of stagnation, which socialism and endemic corruption produce, there is little production and little to distribute. The Mainland Chinese are not inherently different from the Chinese on Taiwan; they merely endure an unfortunate system. Under a different system, Mainland China would undoubtedly be a rich and dynamic nation, and its population would not be a

The CIA Shows a Film

Some called the motorboat "a blob,"
While others watched it do its job
Delivering the tools of war
To rebels in El Salvador.
I saw, but did not find it odd,
Among the doubters, Mr. Dodd.

W. H. VON DREELE

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"problem." Mexico has enormous natural resources, and a rotten system. The last president, López Portillo, is reputed to have left office $4 billion richer than when he entered it. And, last year, a similar $4 billion simply disappeared from the Nigerian treasury. A best-seller in Mexico recounts the colossal corruption of the retired police chief of Mexico City.

The U.S. position, as set forth at the conference, owes much to the work of Professor Julian Simon of the University of Maryland and the late Herman Kahn of the Hudson Institute. In addition to explaining that the population problem is systemic, it maintains that abortion is not an acceptable population-control method. The U.S. asserted that it would no longer provide family-planning funds to non-governmental organizations "which perform or actively promote abortion as a method of family planning." This was a principled position with large domestic political ramifications.

On this, the U.S. was opposed by China (which has a highly coercive abortion program, and even tolerates infanticide), by the Soviet Union and other Eastern-bloc countries, by Sweden and the Philippines, and by Mr. Robert McNamara. Most cultures in the world, however, frown on abortion, and when the U.S. position prevailed in a vote of the main conference committee Mr. Buckley announced that support for family planning by the U.S. would continue.

The economic/political and abortion issues here were distinct but obliquely related. If China had a dynamic economy, it would not need a coercive abortion program, and there is no imperative that the U.S. fund abortions in Third World economic swamps. It was intellectually clarifying to have the point made in Mexico City, no place more appropriate.

The Family Issue

THE GRIM statistic made the front page of the *New York Times*. More than one-third of the babies born in New York City in 1983—37 per cent—were illegitimate. In some parts of the city, the figures were far worse. Almost 80 per cent of the children born in the central Harlem health district were born out of wedlock. In parts of the Bronx, the figure was more than 70 per cent. In 1963, the illegitimacy rate had been 11 per cent.

The *Times* interviewed some well-known people about these disturbing developments, and got some well-known answers. Eleanor Holmes Norton, chairman of President Carter's Equal Employment Opportunity Commission, said: "The city's most basic building block, the family, is not functioning so as to guarantee a decent start in life to children." Sociologist Kenneth Clark agreed. "The young people . . . are unemployed. There are very few pleasures in life for them besides sex and drugs. . . . These are people who have been abandoned by the educational system, the economic system. Look at any institution. They have no place in it." It could have come out of a Mondale-Ferraro campaign speech. The way to attack illegitimacy is by tightening up the system. More jobs (preferably federal make-work), more welfare, fewer bastards.

There is another way to look at it. Over the last twenty years, large sums have been spent on welfare. It has been made easier and easier for abandoned mothers and their children to subsist. The result has been that the rate of abandonment has skyrocketed. Thanks to the state, the surest bet for a poor slum girl—usually fatherless herself—is to get pregnant, and set up on her own. She gets to move out of the house, and she draws a check. The father, with nothing much to do beyond procreation, stays out of the way, often as a criminal or an addict. If the child is a son, he may very well follow in his father's footsteps.

This is surely the most immediate cause of the problem. (The *Times* story considers this explanation along about paragraph 35: "Several [experts] said the welfare system should be redesigned so that men are encouraged to stay with the children they have fathered . . .") There are others. Over the last twenty years, erotica have proliferated along with birth control. In theory, the two should counteract, the Pill preventing what lust makes likely. But since birth control has been perceived and sometimes promoted as part of the general relaxing of sexual standards, in fact it has done no good at all. Kids refuse to learn about it, or forget what they have been taught. Meanwhile the siren call of sex wails on. These factors reach beyond the ghettos, and indeed the New York City illegitimacy rates, though most shocking in the slums, have risen for toney East Side neighborhoods as well.

Not surprisingly, all three phenomena—welfare, pornography, birth control—were brought to you by the same people, the liberals. The premise, in all cases, was that the family was insufficient or irrelevant: that the state was obliged to provide; that sex and marriage were only casual acquaintances; that the individual (with a little help from the state) should "take control" of his or her life. The result, also not surprisingly, is a corrosion of families. That's a family issue that Fritz, Gerry, Mario, et al. won't be running on.

Chariots of Fire

SEVERAL THINGS ought to be said about the Los Angeles Olympics. First, the spectacle was an enormous success—athletically, aesthetically, and emotionally. Not within recent memory have the games seemed so suffused with good feeling. Nor was the manifest patriotic sentiment of the crowds at all harsh or jingoistic. It was largely celebratory, though we

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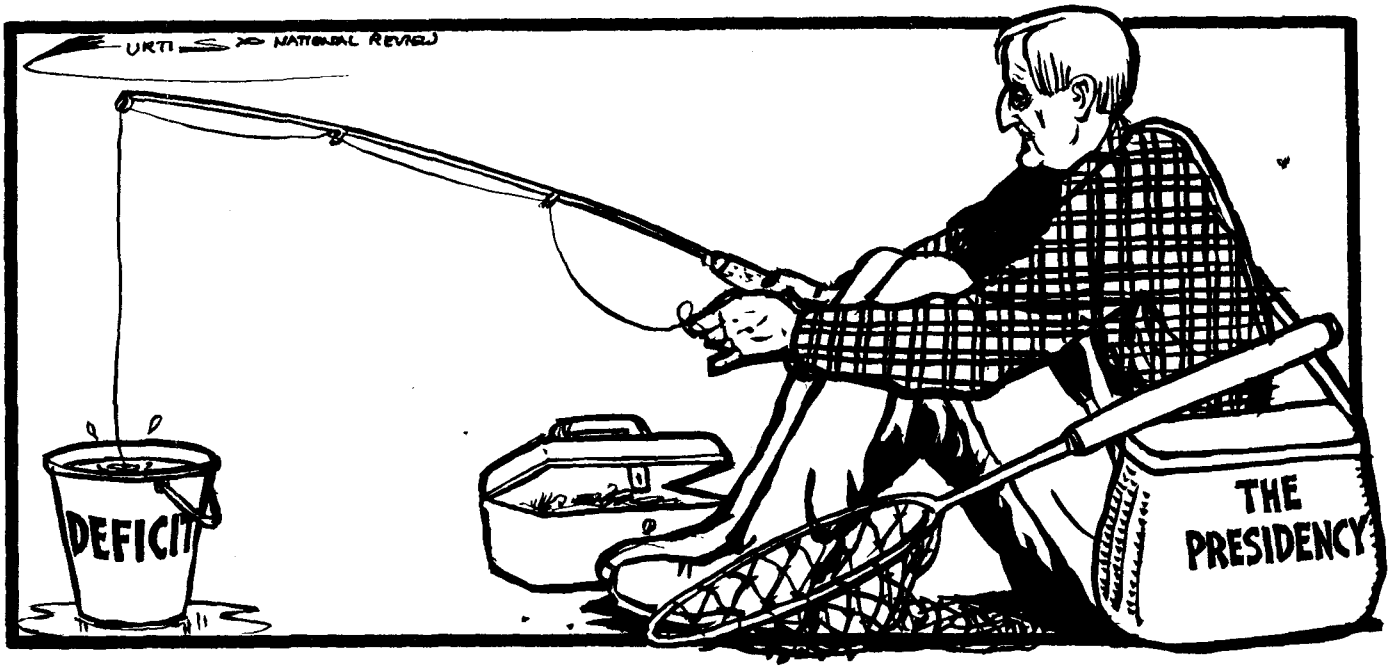

could have done without the booing of Zola Budd, which was not justified. ABC-TV received some criticism for rhetorical flag-waving, but to anyone who has experienced sports coverage by the media in Europe, or elsewhere abroad, ABC was relatively restrained; its technical performance, superb.

The KGB made a suitably vulgar appearance when its disinformation branch concocted bogus Ku Klux Klan threats and sent them to Third World teams. These wooden rubles found no takers. If they didn't have nuclear weapons, the Soviets would be a macabre joke.

The Los Angeles Olympics were the first free-enterprise games, paid for by corporate contributions and product endorsements rather than by the government. The bill for the city of Los Angeles amounted to only 5 per cent of what the Moscow games cost the Soviets, a result for which we willingly put up with things like "the official fountain pen of the 1984 Olympic Games." Mr. Peter Ueberroth, head of the organizing committee, enjoyed an enormous triumph as he moves on to become baseball commissioner.

It is now clear that this quadrennial spectacle is here to stay, not so much as the "Olympic ideal" or as an occasion for the brotherhood of man, but as a colossal festival of sports. Baseball survived the Black Sox World Series scandal; the Olympics have survived terrorism at Munich, the bullying of Taiwan, racial boycotts in Montreal, and boycotts in Moscow and Los Angeles—testimony to their durability.

But the games are also in transition. The Eastern bloc would almost certainly attempt to prevent an Olympics open to all, including professionals, because this would put its own professionals at a competitive disadvantage. But we are nevertheless moving in that direction as the rules are modified and the amateurs cash in. The votes may be there for an open Olympics in the near future. And we can expect trouble from Moscow over the choice of Seoul for the 1988 summer games. But Moscow is in the business of causing trouble, and, in Los Angeles at least, no one really seemed to care.

Voices of Moderation

"BLACK PEOPLE have been watching, and the only conclusion we can come to is that the President presides over an Administration that has been the most hostile to black people and black aspirations since Woodrow Wilson."

Vernon Jordan
Urban League Convention
Cleveland, August 6

"The evil is in the White House at the present time. . . . He's cold. He's mean. He's got ice water for blood."

Tip O'Neill
Democratic National Convention

"If Mr. Reagan had deliberately set out to ruin every American business that depends on international competition, decided to pummel American farmers and write off American jobs depending on trade, he couldn't have come up with a better policy than is now in place."

Walter Mondale
Toledo, August 7

"[If a future historian pursues an inquiry into the Reagan Administration] he will discover that the chief agency sustaining that President was his putative political opposition, the Democratic Party. He will be able to show, with a richness of detail that I can only suggest, how the Democratic leadership in Congress

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Religion Comes First

SHOULD CATHOLICS, as Catholics, stay out of politics? This, ironically, seems to be the position of New York's Catholic governor, Mario Cuomo, in his campaign against the state's Catholic bishops and archbishop, John J. O'Connor.

Mr. Cuomo apparently believes that Roman Catholics may and should support the political agenda of a nondenominational "compassion" (read: liberalism). Yet they should shun a position that he identifies as distinctively Catholic—opposing abortion.

The inhibition apparently applies only to Catholics. Mr. Cuomo has no complaint, for example, with the way the flamboyant Edward I. Koch brings his Jewish identity unabashedly to bear on his role as mayor of New York City in order to promote the interests of Israel. Granted, these interests can be justified in wider terms. But so can protection of the unborn.

The governor's attack on the archbishop fastens on a single sentence uttered by the prelate in response to a reporter's question: "I don't see how a Catholic in good conscience can vote for a candidate who explicitly supports abortion."

I don't either. Nor do I see how a Catholic in good conscience can paraphrase that modest sentence as Mr. Cuomo did, coarsening it into an official command ("Now you have the archbishop of New York saying no Catholic can vote for Ed Koch . . .") and even a threat of coercion ("The archbishop says, 'OK, now I want you to insist that everybody believe what we believe' ").

What if, Mr. Cuomo asks, Orthodox Jews were to impose their Sabbath observances on the whole population? Orthodox Jews propose to do no such thing—but virtually all of them oppose the governor on abortion. There is a clear difference between ritual disciplines within one faith and universal moral obligations recognized by people of many faiths. It is the difference between abstaining from meat and abstaining from murder.

The state's bishops recently said: "We fail to see the logic of those who contend, 'I am personally opposed to abortion but I will not impose my personal views on others.' " They called this the equivalent of a pre-Civil War legislator saying: "I am personally opposed to slavery, but I support the right of others to hold slaves if they choose." Mr. Cuomo is an active "pro-choice" advocate. He is not just for tolerating abortion in the name of "conscience" but also for coercive taxation that diverts Catholics' earnings —never mind what happens to their consciences—into the pockets of abortionists. Some "choice."

The separation of church and state presupposes a boundary between the two realms. It cannot mean that the state may invade areas formerly outside its authority while demanding that religion meekly move out, leaving what the theologian Richard Neuhaus calls "the naked public square." Mr. Cuomo crudely reverses the facts when he accuses the Church of acting "more aggressively than ever before." The aggression is on the side of the state.

In what serious sense can he be "opposed" to abortion? Nobody could infer from his voting record that he is a Catholic: He himself boasts that his public record shows no embarrassing trace of Catholicism. Why then does he speak publicly of his religion so often? Is he not, in fact, trying to enlist the unwary loyalties of Catholics while serving interests of a very different sort?

Mr. Cuomo is fully as combative as Mayor Koch, with this difference: Mr. Koch doesn't aim his fire at rabbis and Jewish leaders he claims fellowship with. He doesn't tell Jews they can best contribute to a pluralistic society by hiding their distinctive Jewish concerns, even if these concerns are shared by many non-Jews. Jews don't think they contribute by acting "non-Jewish."

Worst of all, the governor, who is proud to be the son of an immigrant, attacks New York's archbishop in the accents of nineteenth-century anti-Catholic nativism. Would any truly loyal Catholic publicly accuse a Catholic prelate of "insisting that everybody believe what we believe"? Governor Cuomo's invocation of old fears and prejudices against his own church is, to say the least, unfilial.

Other groups may live out pluralism by asserting their diverse special concerns. But Catholics, in the Cuomo version of their faith, must serve pluralism by suppressing the very things that make them meaningfully Catholic.

On Thursday, the nation's bishops spoke: The United States Catholic Conference rejected the view offered by Governor Cuomo, Geraldine A. Ferraro, and others that one's "personal" view of abortion is irrelevant to public policy. For Catholics, that should suffice.

—JOSEPH SOBRAN

(Reprinted from the New York Times *Op-Ed page, Aug. 12, 1984.)*

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served as the witting confederate of that President and of the counter-revolt of the privileged that he headed."

Walter Karp
Harper's
July 1984

Where It's Happening

EVERYONE HAS known for some time that a lot is going on at the Heritage Foundation in Washington, but probably not how *much* is going on. Heritage has become one of the most vital institutions in Washington for the coordination and dissemination of ideas. In his hour of need Gary Hart could have found some new ideas there if he had bothered to drop in. In Washington, Heritage has a daily and also a lasting impact. Here is a sampling from the Heritage Foundation's nine-page June agenda.

June featured two sessions of a continuing popular event among young conservatives in Washington, the Third Generation lecture series, featuring Lieutenant Michael Pocalyko, U.S. Navy, discussing "The Third Generation Military Leadership," and John Fund of the *Wall Street Journal* discussing "How Conservatives Can Win Support from the Media." Other events included an informed session on arms transfers and security problems in Southeast Asia; a debate on Reagan's ICBM defense proposals with Admiral Stansfield Turner, General Daniel Graham, Richard Allen, and others; a debate on the private sector and poverty; and presentations and appearances by Charles Lichenstein, Peter Reddaway, Burton Pines, Lieutenant General James Abrahamson, Gabriel Roth, Dr. Julian Simon, Faith Whittlesey, and many others.

Heritage appears to be able to produce a major intellectual and public-policy event on virtually a daily basis, and Heritage-connected works in progress on major subjects number about thirty. This kind of sustained activity is of incalculable importance, and Heritage President Edwin Feulner Jr. and his staff must be enjoying the experience of helping to change the world.

Richard Burton, R I P

HE WAS the last of the old-time sinners, a man of world-shaking weaknesses who never tried to turn his transgressions into principles. His scandalous romance with Elizabeth Taylor consumed acres of newsprint, but he somehow refused to accept the role of swinger: He was betraying his wife, and he knew it, and he communicated guilt when others would have taken the current line that fidelity is an outmoded concept. Rooted as he was in the idiom of Shakespeare and Donne, he contemned such trendy ploys.

Most of the public learned of his thespian brilliance only by watching him throw it away in rotten movies. Offered an easy million, he would lock the famous voice into one register and belt out some of the most mortifying pap ever penned by Hollywood hackdom. He lacked Olivier's gift for having fun slumming, but then it's hard to have fun at it when you're making it a lifetime occupation.

But what a voice! John McPhee wrote of its "tympanic resonance." Like a tympani, it could do more than boom: A soft touch could produce haunting effects, and Burton was at his finest when reading English verse at something just above a murmur. Then, precise, intelligent, exquisitely restrained, he intimated the actor who might have been, an actor through whom the classics could speak anew. When he died he had been hoping to return to the stage as King Lear.

It's Hot in the Kitchen

Like on again, off again Finnigin, Jesse
  Is driving the Democrats over the brink.
He's in, then he isn't, as Walter and Geraldine
  Start the day swimmingly, only to sink.
None dares to suggest he's a trifle unstable
  For fear of recalling the Eagleton days:
With Lance's departure recalling the Carters,
  It's natural all of their eyeballs should glaze.

W. H. VON DREELE

NOTES & ASIDES

☐ Dear Mr. Buckley:

Re: Your mention of Zeno's Paradox and Mr. Woods's reply.

You're barking up the wrong point set. If, when the runner has covered half the distance, the remaining distance can be expressed as an infinite series of remaining halves, then likewise, when he has spent half the time, the remaining time can be expressed as an infinite series of remaining halves, giving him an infinite number of points in time to cover the finite distance.

Does this imply that objects can never come to rest or that time doesn't pass?

Suppose you halve both the remaining time and the remaining distance ad infinitum, creating a one-to-one time-place correspondence between each point in two infinite point sets. Will the runner get there before himself if he accelerates during the course, and after himself if he decelerates? Since he and himself are the same object point sets, can he only arrive if he

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travels at a constant velocity or runs the race an infinite number of times?

I submit that the nameless philosopher circumnavigating his fellows either never left, returned before Zeno asked the question, or is still walking around the table in parabolic trajectory ruminating that philosophical navigation is performed in a universe having as many points as a line of any length.

Nearly yours,
John N. Coulbourn
Coulbourn Instruments, Inc.
Allentown, Pa.

Dear Bill:

Your correspondent Bill Woods complains about the misuse of "quantum" in the macroworld. He charges that "*soi-disant* journalists are given to stretching for a colorful expression without having any firm idea what the term means or where it derived from."

"*Soi-disant*" appears in Fowler's *Modern English Usage* with the comment: "See FRENCH WORDS. English is well provided, with *self-styled*, *ostensible*, *would-be*, *professed*, *professing*, *supposed* & other words, for all needs." I "saw" FRENCH WORDS and found this criticism, inter alia (I hope that I will not be criticized for the use of that phrase, which I believe is thoroughly integrated into English usage, particularly by lawyers, if that be deemed commendable): "Only fools will think it commends them to the English reader to decorate incongruously with such bower-birds' treasures . . ."

He who is without blame . . .

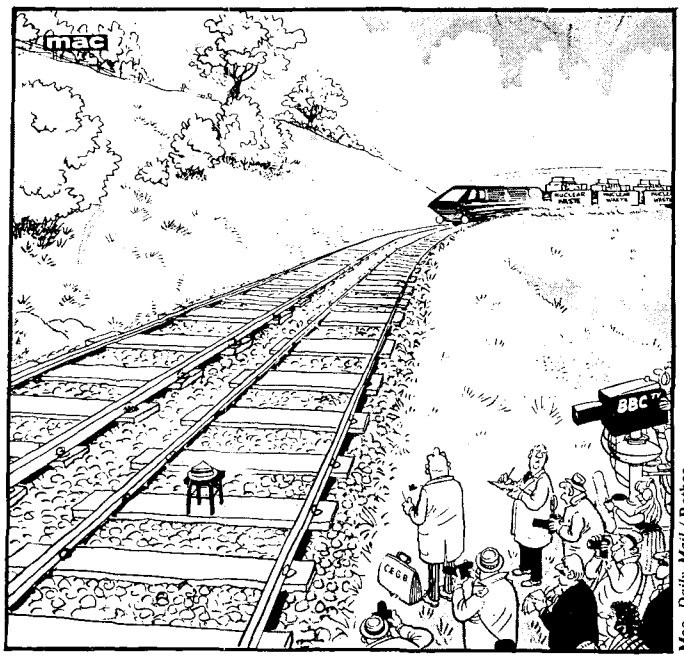
Sincerely yours,
Paul R. Shaw
New York, N.Y.

☐ Dear Mr. Buckley:

I read your column "Thoughts after the Tax Bill" in the *Cincinnati Enquirer* and feel that your business-is-a-tax-collector theme could be taken a step further. Using rough figures and general assumptions, I'll try:

Assume that family #1 with $100,000 gross income and family #2 with $20,000 gross income represent the population; i.e., the combined tax revenue from these two families remains constant regardless of the means of taxation. Assume that #1 pays personal income tax on $80,000 adjusted income and purchases $60,000 worth of goods and services from business; and that #2 pays personal income tax on $12,000 adjusted and purchases $15,000 worth of goods and services. Assume that the personal-income-tax rate (R) of #1 is five times that of #2.

At present, with business "collecting" 15 per cent of tax revenue, and assuming R_1 equals 50 per cent and R_2 equals 10 per cent, the total tax revenue would be $48,470, i.e., $40,000 personal income tax from #1, $1,200 personal income tax from #2, and $7,270 business tax. The portion of the $7,270 actually paid by #1 would be $5,816 ($7,270 × 60/75) and the portion paid by #2 would be $1,454. The total tax paid by #1 would be $45,816 and by #2 would be $2,654.



Mac, *Daily Mail* / Rothco

"This is the ultimate test—100 mph into a British Rail sandwich."

Now, assume business pays no tax (i.e., collects no tax) and all tax revenue is from personal income tax. R_2 would be 11.76 per cent and R_1 would be 58.82 per cent ($80{,}000R_1 + 12{,}000R_2 = 48{,}470$; $R_1 = 5R_2$). The tax from #1 would be $47,058 and from #2 would be $1,412.

Now, assume business pays all tax (i.e., collects all tax) and personal income tax is eliminated. The tax from #1 would be $38,776 ($48,470 × 60/75) and from #2 would be $9,694.

Conclusion: Lowering tax on business benefits the poor!!

Cordially,
Robert W. Cook
Senior Metallurgist
Armco, Inc.
Ashland, Ky.

☐ Dear Mr. Buckley:

Christ told us to forgive our enemies seventy times seven. McFadden tells us to renew our subscriptions seventy times seven! The failure to do both is Hell. (There is no *NR* in Hell!) Enclosed is a check for two years of indulgences. Take care.

Cordially,
Gregory Byrnes
Greenwich, Conn.

Dear Mr. Byrnes: You are forgiven. Cordially,

—WFB

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REAGAN'S COURT

RONALD REAGAN'S re-election means more, arguably, to conservative lawyers and jurists here in Washington—the community that houses the world's largest per-capita collection of barristers—than to anyone else. They realize how Mr. Reagan can stretch his influence to the year 2010 and beyond: to wit, by repopulating the Supreme Court (providing, of course, he is re-elected). By the time the next presidential term expires, five of the current Supreme Court Justices would be eighty years of age or older. Not surprisingly, lists of eligible nominees are making the rounds.

The universally agreed-upon criterion for placement on these lists is that the candidate be committed to judicial restraint, i.e., the belief that the Court has no business making decisions on public policy that properly belong to the people, acting through their elected representatives. In the past several decades, the Court, rather than the legislature, has changed the laws governing school prayer and busing, financial aid to religious institutions, abortion, capital punishment, racial quotas, sex discrimination, and political apportionment.

The short list has four names: Robert Bork, Richard Posner, Antonin Scalia, and Patrick Higginbotham. Bork, a judge on the U.S. Court of Appeals in the District of Columbia, is on everyone's short list, and the smart money says that Reagan will go with him first. This does not mean, however, that Judge Bork pleases all conservatives in all ways. Some think that the volume (as opposed to the quality) of his scholarship leaves something to be desired. "Compared to Posner, Bork has dribbled out opinions," notes a ranking Reagan aide. The same official also complains that when Bork was solicitor general his briefs were not completely edifying. "But, as SG, he wasn't the only one who had input into department positions, so I don't take him to task too heavily for the more liberal stands in those briefs."

A real dazzler is Richard Posner, a judge on the U.S. Court of Appeals for the Seventh Circuit (Chicago). Posner has "the most imposing, the sharpest mind on the whole federal bench," declares a veteran court observer here. Posner is a prodigious producer of opinions (more than 220 since his appointment in December 1981), and "the bulk and depth of his erudition is so vast that he has 'intellectually intimidated' the whole Seventh Circuit," notes the same attorney. Posner could be more influential if he were "less brutal—less cerebrally punitive—with his colleagues." So, Posner and Bork are emerging as the twin peaks of conservative scholarship. "For raw intellectual horsepower, they are unmatched by their competition," says a Washington jurist.

The third man on the conservatives' ultra-select list is Patrick Higginbotham, U.S. Court of Appeals for the Fifth Circuit (New Orleans). Higginbotham's writing on racial quotas in the context of a New Orleans police promotion case, in which he made the same arguments as did the Justice Department in the Memphis case having to do with racial quotas in the fire department, was particularly appreciated by the Administration. Although the New Orleans Court rejected Higginbotham's separate opinion, the Supreme Court vindicated his judgment (and the Justice Department's) in its ruling on the Memphis case. Higginbotham's opinion not only showed his judicial depth, but an exemplary fortitude and independence of mind. And the fourth man, Antonin Scalia (U.S. Court of Appeals in the District of Columbia), has shown similar keenness and independence of judgment, as evidenced in his opinions denying federal court intrusion into foreign policy.

Other names, of course, are being circulated on other lists around town, most notably that of William Bentley Ball, whose knowledge about and experience with matters dealing with the religion clause ("Congress shall make no law respecting an establishment of religion") is unexcelled, as evidenced by his handling of the Bob Jones case. But some doubts have been raised about Ball's reach in other areas. He is seen by many as a single-issue candidate, whereas the writings of Bork, Posner, Higginbotham, and Scalia run the gamut. "But watch for the religious fundamentalists to make one helluva play to get Ball on the short list," notes a savvy Reaganite lawyer here.

IN ADDITION TO High Court appointments, conservatives here agree that the President must revamp the office of solicitor general, which is charged with making the Administration's arguments before the Supreme Court. Despite the recent success of Solicitor General Rex Lee in the area of criminal justice (the exclusionary-rule and *Miranda* softenings), there's a feeling that Mr. Lee is unduly influenced by career lawyers at Justice who have convinced him that winning cases and not "upsetting" the Court is more important than upholding principles and changing policies.

Such weakness infuriates those who believe that Ronald Reagan needs an SG of the caliber of Robert Jackson, who served Franklin Roosevelt so well. "Jackson was bold and he was tenacious," notes a top Reagan aide. "He may have had a lousy win rate, but the work he did for FDR brought about the liberal sea-change that lasted over thirty years." That is no exaggeration of the longevity of Roosevelt's social and political legacy. His policies, as furthered by Justices William O. Douglas, Hugo Black, and others, remained dominant long after his death. Ronald Reagan could be in a position to do as much. □

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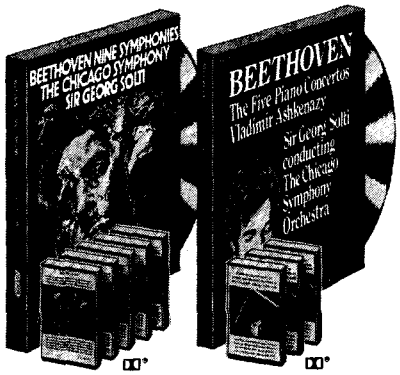

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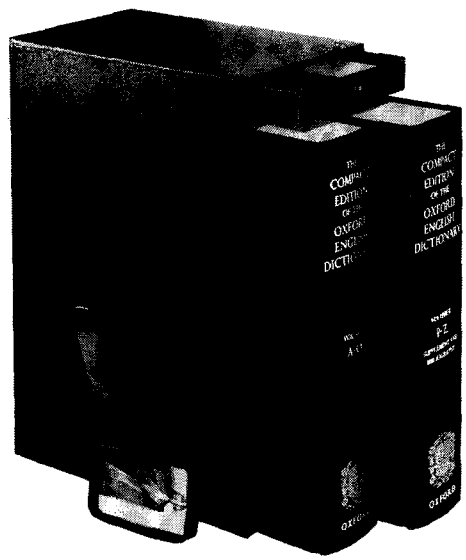

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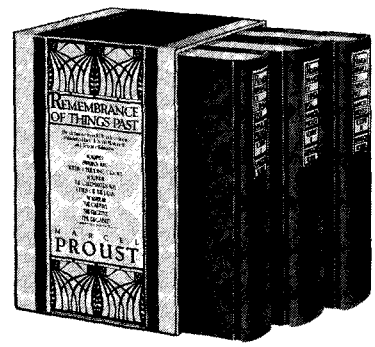

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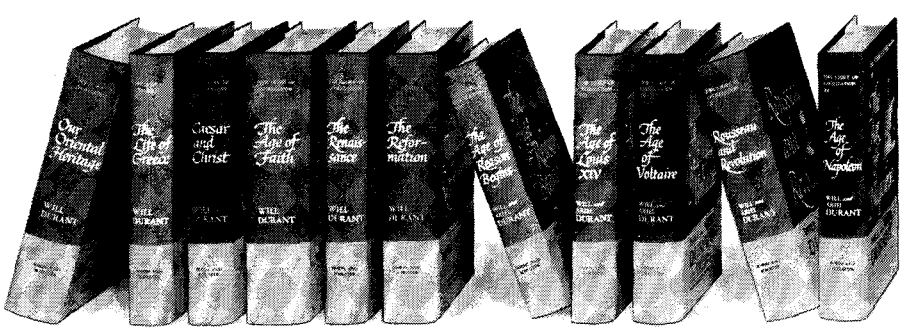

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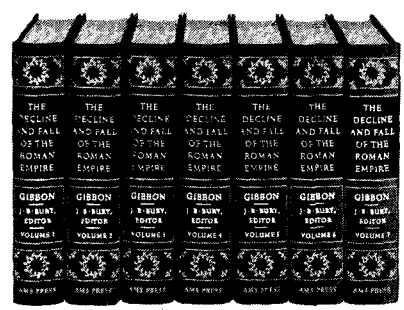

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THE ROOT OF DISUNITY

AS A CERTIFIED, fully paid-up member of the exclusive club of cold-warriors, I wish to go on record with this statement: The Soviet Union is not the only source of political evil in the world. I will go further: Communism is not necessarily the main source of political evil in the world.

No, after mature reflection (say, about forty years' worth), I have reached a more devastating conclusion: The main source of political evil in the world is *socialism.*

To put things this way does not imply, in the slightest degree, dissent from President Reagan's proposition that the Soviet Union is an "evil empire." The proof of that proposition is surely demonstrated by reversing it. Is the international (and indeed national) system of the Soviet Union *not* an empire? Ask the Afghans, or the Poles, or the Ethiopians. Is it "good" (i.e., benevolent, altruistic, kind, a threat to nobody, etc.)? Is the Gulag "good"? Is the psychiatric torture of dissidents "good"?

Do not forget, however, that the full name of the Soviet Union is the Union of Soviet *Socialist* Republics; that the USSR and the East European colonies, jointly, are officially termed the "*Socialist* Commonwealth"; that the Soviet leaders claim to have built "socialism," and continually exhort the regimes set up by Stalin to get a move on with doing the same.

Somewhere along the line, howls of indignation are invariably heard. They come from "moderate" socialists, from anti-Soviet socialists, from social democrats, from (contradiction in terms) "democratic socialists." They come also from that most intractable category of all: the socialist fundamentalists. We have quite a bunch of them in Britain, but they exist everywhere. If reproached with the excesses of socialism (a Gulag here, a Kampuchean genocide there), or the failures of "moderate socialism" (a Chilean shambles, say, or the pricing of British industrial products out of the world market, or man-made scarcities in, say, Burma or Tanzania), they will argue that, actually, "true" socialism has never been tried anywhere. Ever. This argument is of course unwinnable by the non-socialist side, since the fundamentalist refuses systematically to recognize as the genuine article any regime calling itself socialist.

The point, however, is that without the socialist ideas that sprang into burgeoning life in Europe (not least in England) in the last century, there would have been no Marxism-Leninism, and therefore no Soviet Communism. The root of the evil, therefore, is pre-Soviet, pre-Communist, pre-Marxian.

I have two main objections to socialism (defined as the centralized allocation and sharing of resources):

1. It doesn't work, the chance of success being in inverse ratio to the completeness of the experiment, ranging from total failure in Vietnam or North Korea, to subsidized bankruptcy in Cuba, to affluent paralysis in Sweden.

2. It is, demonstrably, incompatible with personal freedom. Again, the inverse-ratio principle applies: the more socialism, the less freedom.

The element of nobility and idealism in socialism is unfortunately undeniable, even though it rests on economic fallacies. It rests on the proposition that there is only so much wealth to go around, and it is only "fair" that the wealth should be divided equally (regardless of the fact, now universally proved, that in the process of dividing scarce wealth the prospect of creating new wealth is jettisoned).

A far more potent driving force in the socialist idea is, however, totally ignoble. It is envy. A decade ago, a remarkable work under that title (*Envy*) appeared, the author of which was the German writer Helmut Schoeck. A still more impressive work on the same subject, as lucid as it is erudite, has now come out in Spain, under the title *Egalitarian Envy* (*La envidia igualitaria*). The author, Gonzalo Fernández de la Mora, a former diplomat, is in my view one of the most profound conservative political philosophers in the world, and I hope some American or British publisher will bring out an English-language edition of his work.

I HAVE CALLED this column "the root of disunity," and that root is socialism. The proposition is true in all relevant senses: social, political, international. If the solution to a society's problems is thought to lie in "redistribution," and if the job of redistributing is allocated to the state, then one of two things will happen. Either the redistribution will fall short of equality, because full economic decision-making is not concentrated at the governing center; in which case inequality persists, and therefore envy. Or all economic power is truly concentrated at the center, with the predictable results: a sclerotic economy and totalist political tyranny as well.

But socialism is also one of the roots of disunity in international relations, including relations between allies. Can anyone seriously pretend that Greece under a socialist government is a fully trustworthy member of the Alliance? Can anybody seriously argue that Spain under a socialist government is an enthusiastic recruit to NATO?

As for socialist France, the present situation almost beggars description. After three years of economically disastrous and socially divisive coalition with the Communists, President Mitterrand drops his partners and hands the premiership to a super-rich whiz-kid named Fabius who is trying to persuade everybody that he is no longer a socialist. That's disunity, all right. □

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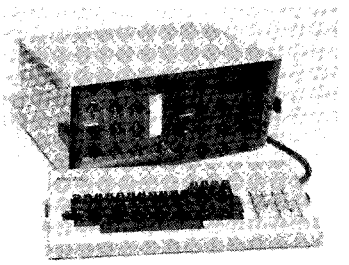

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THE UNMENTIONABLE CONVENTION

JAMES DALE DAVIDSON, chairman of the National Taxpayers Union (a small organization representing a large special-interest group, taxpayers), visualizes the following moment of comedy shortly after the election results are announced on November 6. One of the network anchormen appears on the screen and says: "One other development. There will have to be a constitutional convention sometime next year to amend the U.S. Constitution. The American people think it would be a good idea to balance the budget, apparently. We didn't tell you about it earlier, frankly, because we thought it would only confuse you . . ."

Article V of the Constitution provides two methods of proposing amendments. Congress can submit an amendment to the states (the method by which all 26 amendments so far have been adopted), or two-thirds of the states can petition Congress to call a convention. This body then drafts an amendment, which must in turn be ratified by three-fourths of the states.

Thus 34 states must petition Congress; 32 have already done so, and, as a result of petition drives, balanced-federal-budget initiatives will be on the ballot in California and Montana in November. If voters in both states approve, there will be a constitutional convention next year, the first at the federal level since 1787. (There have been hundreds of state constitutional conventions.)

Considering the current level of indignation about budget deficits—practically every speaker at the Democratic National Convention referred to the theme—you would have thought there might be more interest in this. But the media have somehow maintained an almost complete blackout on the topic.

The truth is that many of today's deficit-deploring policymakers do not really mean what they say. In appealing to deficit-fear, they seek mainly to enlist unwary middle-class support for tax increases. The proposition that "government should spend no more than it takes in" appeals precisely to the citizen who is under a similar constraint, but who often does not realize (until it is too late) that governments prefer taking in more to spending less, and find in public support for a balanced budget just the rationale they need to indulge their preferences (witness the four tax increases in the past three years).

From the point of view of those who enjoy redistributing other people's money (and keeping some for themselves), the frightening feature of a balanced-budget amendment is that it *presumably* would make it harder to balance budgets by raising taxes than by holding down spending. Curiously enough, this was not the case with the balanced-budget amendment that Congress attempted to submit to the states in 1982. (It passed the Senate but was defeated, preponderantly by Democrats, in the House of Representatives.) The amendment, drafted by the Senate Judiciary Committee, specified that a mere "majority of the whole number of both Houses of Congress" could raise taxes if more revenue was needed, while a three-fifths vote was needed to submit a budget with "an excess of outlays over receipts."

If it had passed, the amendment could have been construed as obliging Congress to vote for tax increases every year in order to keep things in balance. Alternatively, supporters of big government could have argued that all future tax cuts were out of the question because of the constitutional requirement to balance the budget. In view of these massive loopholes, it is surprising the amendment did not enjoy Machiavellian support from the liberals.

A balanced-budget amendment established by convention could be more favorable to taxpayers and less to the liking of legislators than anything we have seen so far. There will be 535 delegates to such a convention: one from each congressional district, and two more from each state—but current senators and representatives cannot be delegates. "So it will be just like starting out with a brand-new Congress," says Davidson. "This means the special-interest groups that have been plying legislators with pressure and funds will have far less control."

Power to the People

THERE IS no truth to the charge that such a gathering could turn into a "runaway convention," proposing non-germane amendments and "opening the way for a conservative rewrite of the U.S. Constitution," as Jay Matthews put it in the *Washington Post*. On May 17, the Senate Judiciary Committee unanimously approved a "Constitutional Convention Implementation Act," with one section specifying that "no convention called under this Act may propose any amendment or amendments of a subject matter different from that stated in the concurrent resolution calling the Convention," and authorizing Congress to refuse to submit such an amendment to the states for ratification.

There are, I believe, real problems with a balanced-budget amendment. It could lock in current levels of spending; tax cuts could become a thing of the past; the dynamic effects of tax *rate* changes are likely to elude convention delegates (they elude professional economists, after all). Still, my stronger belief is that conservatives should not be fearful when the people find ways of circumventing their present rulers and taking power into their own hands. Congress has shown itself to be irresponsible in buying votes with extravagant benefits to interest groups. If ordinary Americans respond by asserting the principle of self-government, then that is no more than what they did in 1787. □

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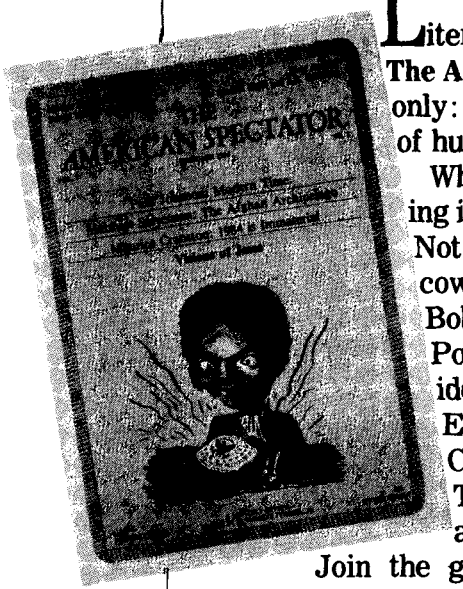

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BROWN v. BOARD OF EDUCATION AT 30

THE THIRTIETH ANNIVERSARY of *Brown* v. *Board of Education* invites a serious re-examination of that momentous case. The most pressing question is how a decision that was once hailed as signaling the demise of the despised doctrine of "separate but equal" now serves as the justification for it. Lawrence Tribe, an eminent professor at Harvard Law School, recently remarked: "It remains true . . . that judicial rejection of the 'separate but equal' talisman seems to have been accompanied by a troublesome lack of sympathy for racial separateness as a possible expression of group solidarity." Other prominent scholars speak unabashedly of the "rights of race." These luminaries surely know that the mere repetition of the argument for a "color-blind" Constitution urged by Justice Harlan's famous dissent in *Plessy* v. *Ferguson* (1896) would be insufficient for the establishment of the radical welfare state, since the goal of the radical welfare state is not equal protection of the laws, but the protection and promotion of "equal respect and dignity." What has not been understood, however, is that the *Brown* case did not really overrule the "separate but equal" doctrine—which is why the Court has recently found it so easy to "resurrect" it.

The other question to be broached when reconsidering the *Brown* case is how it created the modern universe of judicial activism. According to G. Edward White, Earl Warren's most recent biographer, what allowed Warren to become the demiurge of judicial activism was his unique ability to disregard the Constitution and the dictates of principled jurisprudence when they stood in the way of what "he perceived to be ethical imperatives." As White remarks, "Warren . . . equated judicial lawmaking with neither the dictates of reason, as embodied in established theory of the judge's role, nor the alleged 'command' of the constitutional text, but rather with *his own reconstruction of the ethical structure of the Constitution*" (emphasis added). In this regard, the *Brown* decision represented Warren's greatest triumph.

In the wake of the Court's dramatic about-face in 1937, the liberalism of the post-New Deal Court generally consisted of deference to legislative judgments. This was a passive role that recognized Congress's primacy in policy-making, and was designed to check only the most egregious legislative transgressions of the Constitution. Eventually, however, the Court was confronted with the question of what its obligations were in the face of legislative *inaction*. *Brown* was the Court's answer. In subsequent years the Warren Court made it clear that constitutional majorities were acceptable only so long as they produced the proper results; when the results were wrong, or not forthcoming, the Court would assume a constitutional obligation to intervene. The progressivism that had informed Warren's political career regarded legislatures as the mere representatives of "special interests." Thus laws were believed to reflect only the brokered interests of the factions that dominated the various legislatures throughout the nation. According to the progressive creed, the proper antidote was a thoroughgoing majoritarianism. Warren, however, came to regard the majority itself as yet another special interest seeking to promote its advantage at the expense of other interests, particularly at the expense of "discrete and insular minorities." Whereas it was once thought that in a pluralist democracy the majority could safely rule in the interest of the whole, the Warren Court thrust itself into the role of "virtual representative" of these "discrete and insular minorities." Even the conservative Burger Court has not disdained to play this role.

The late Alexander Bickel once remarked that "*Brown* v. *Board of Education* was the beginning." And so it was—the beginning of the erosion of the notion of equal protection of the laws and the proper role of the judiciary in a scheme of constitutional government. A scant four years after the *Brown* decision, a unanimous Court declared, in *Cooper* v. *Aaron*, that "the judiciary is supreme in the exposition of the Constitution," and since this was said to be "a permanent and indispensable feature of our constitutional system," it followed, according to the Court's irrefutable logic, that "the interpretation of the Fourteenth Amendment enunciated by this Court in the *Brown* case is the supreme law of the land." This statement, of course, utterly confounds the Constitution and the Court's exposition of it; it conflates the Constitution with constitutional law. Such a basic misunderstanding is hardly the stuff of constitutional government, for it would indeed transform

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the Court into a "continuing constitutional convention." In Chief Justice Marshall's famous phrase, that would make "written constitutions . . . absurd," since it would usurp the "original right" of the people to establish the "fundamental principles" of the Constitution, a right from which all legitimate authority emanates.

The principal task of the Supreme Court created in the Constitution is no different from that of the legislative and executive branches—to stand as the representative of the superior will that created the Constitution itself. It used to be an article of common knowledge that, as Justice Matthews put it in 1884, "written constitutions [are] limitations upon all the powers of government, legislative as well as executive and judicial." As constitutional agents, the courts occupy a position inferior to that of the Constitution itself. Even though the Supreme Court may be the final *expositor* of the Constitution in the context of deciding particular cases, the Constitution is superior to any exposition of it by the Court. To maintain that what the Court says about the Constitution is the supreme law of the land is to confuse means and ends. Precisely such a confusion was the hallmark of the Warren Court.

II.

Despite its notoriety and the voluminous literature it has generated, the *Brown* case has not yet been fully understood. The most puzzling aspect of the decision is that it did not once refer to Justice Harlan's famous dissent in *Plessy*. This is particularly striking since it was Harlan's dissent that for more than a half-century served as the rallying point for the kind of activist liberalism the Warren Court would eventually come to epitomize. In his *Plessy* dissent Harlan had remarked:

> Our Constitution is color-blind, and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law. The humblest is the peer of the most powerful. The law regards man as man, and takes no account of his surroundings or of his color when his civil rights as guaranteed by the supreme law of the land are involved.

A *New York Times* editorial, commenting on the *Brown* decision at the time of its announcement, held that

> Now the words [Justice Harlan] used in his lonely dissent in *Plessy* v. *Ferguson* have become in effect, by last Monday's unanimous decision of the Supreme Court, a part of the law of the land. . . . there was not one word in Chief Justice Warren's opinion that was inconsistent with the earlier views of Justice Harlan.

That editorial was very much mistaken. Chief Justice Warren's opinion in *Brown* did *not* amount to a vindication of Harlan's illustrious dissent; in fact, it rested on the same ground of interpretation as the majority opinion in *Plessy*. That, indeed, may well be the reason that Harlan's dissent was never mentioned.

In the *Brown* case, Chief Justice Warren wrote:

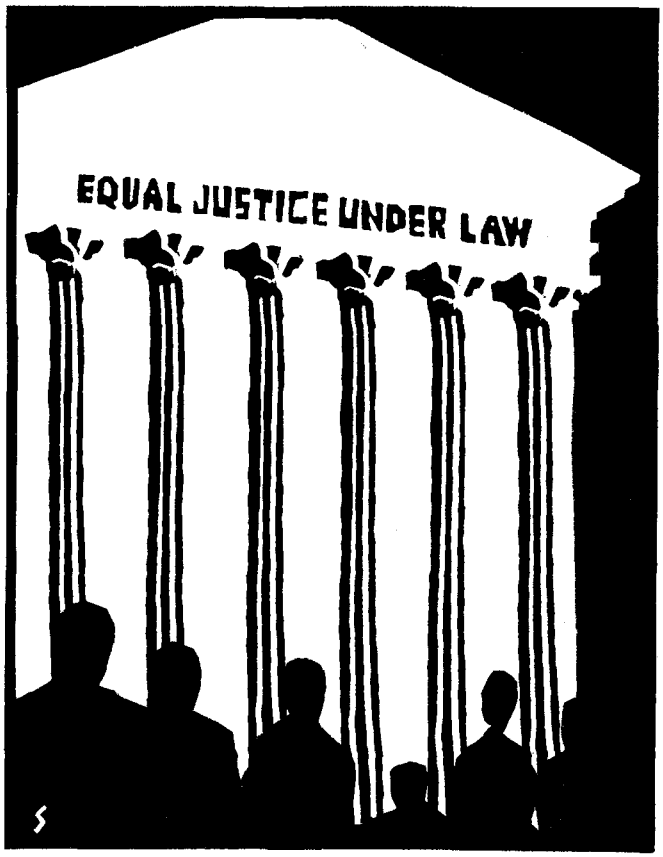
> To separate [schoolchildren] solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely to be undone. . . . Whatever may have been the extent of psychological knowledge at the time of *Plessy* v. *Ferguson*, this finding is amply supported by modern authority. Any language in *Plessy* v. *Ferguson* contrary to *this finding* is rejected.
>
> We conclude that *in the field of public education* the doctrine of "separate but equal" has no place. Separate educational facilities are inherently unequal [emphasis added].

Justice Brown, writing for the majority in *Plessy*, had remarked:

> We consider the underlying fallacy of the plaintiff's argument to consist in the assumption that the enforced separation of the two races stamps the colored race with a badge of inferiority. If this be so, it is not by reason of anything found in the act, but solely because the colored race chooses to put that construction upon it.

It should be clear from a comparison of these two quotations that *Brown* rests upon the same ground of interpretation as *Plessy*. According to Warren, the real deficiency of *Plessy* was not any defective principle or constitutional interpretation, but inadequate knowledge of psychology. *Plessy* was rejected only insofar as it was inconsistent with the "authority" of modern psychology. But what most commentators have failed to realize is that the reliance on modern psychology as the authority for the *Brown* reasoning left intact the *constitutional* reasoning of *Plessy*.

The standard used by both *Plessy* and *Brown* was that of "stigma." *Plessy* concluded that a mere legal separation of the races in railway cars did not imply stigma, i.e., that the separation did not brand the black race as "inferior." If blacks "felt" that the separation branded them as members of an inferior race, this was, the *Plessy* majority concluded, a "feeling" contrary to fact. *Brown* concluded that segregation *in the field of education* did imply such stigma, that a "feeling of inferiority" was a fact of inferiority from the point of view of the equal-protection clause. The difference between the two cases was therefore a matter of fac-



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The Justices reasoned in effect that any injury to an individual member of the majority is, as it were, self-inflicted

tual interpretation, not a difference as to requirements imposed by the Constitution. In both cases, the Court agreed that in the absence of any stigma implied in the segregation of the races the Constitution was not offended. Indeed, "stigma" is the very standard the Court and most constitutional scholars accept to this day as appropriate for determining equal-protection rights.

The concept of "stigma," however, inevitably fails as a ground for abolishing racial classifications. Thus *Brown* did not require an end to all racial segregation as a matter of principle, but only an end to segregation that "stigmatizes" or produces "feelings of inferiority" in one race. The ruling held narrowly that in the context of segregated grammar-school education such "feelings of inferiority" did indeed amount to "stigma." Whether stigma would be the by-product of other segregated activities was left open by *Brown*.

It could well be argued that by establishing the racial-class concept of "stigma" as the standard of equal protection, the *Brown* decision granted new life to the "separate but equal" doctrine of *Plessy*. Its renewed vigor was made abundantly clear in Justice Blackmun's separate opinion in *Bakke*, 24 years later:

> I suspect that it would be impossible to arrange an affirmative-action program in a racially neutral way and have it successful. To ask that this be so is to demand the impossible. In order to get beyond racism, we must first take account of race. There is no other way. And in order to treat some persons equally, we must treat them differently.

Indeed, the Supreme Court has several times intimated that "benign" racial classifications are justified because they do not involve the stigma of invidious discrimination. The recipients of the benefits that accrue from the "benign" classification are said not to be branded as members of an "inferior race," as they would be if the classification were designed to harm rather than benefit a racial class. The implication is that the Fourteenth Amendment is not offended as long as no stigma exists, even if individuals must bear burdens created by a classification that would ordinarily be prohibited by the equal-protection clause. A recent Court of Appeals decision, citing Blackmun's *Bakke* opinion as authority, noted that "race-conscious programs" are valid unless they impose "a constitutionally impermissible stigma." But as the Court proceeded laconically to note, "The majority group is rarely, if ever, stigmatized."

III.

What happened here? To use the idea of stigma as a racial-class concept is to translate equal-protection rights into class rights. Indeed, the Court has come perilously close to converting the doctrine of individual rights—a doctrine presupposed by the whole American tradition—into a doctrine of class rights. The source of the idea of class rights can already be found in an infamous footnote by Justice Stone in the *Carolene Products* case (1938). Stone remarked that any legislation touching upon the class interests of "discrete and insular minorities"—those minorities said to be permanently isolated from the majoritarian political process—would be subject to "more searching judicial inquiry" than ordinary legislation. The implication was that such minorities were unable to protect their interests through the majoritarian political process and should therefore receive the special solicitude of the Court.

The Court made little use of this concept until the early 1970s, when it began to delineate the class characteristics of such groups. The latter included those who had been "saddled with such disabilities, or subjected to such a history of purposeful unequal treatment, or relegated to such a position of political powerlessness, as to command extraordinary protection from the majoritarian political process." Although race and nationality seem to have been firmly established as class characteristics of the "discrete and insular minority," the Court has hitherto refused to extend such status to illegitimates, the poor, or conscientious objectors.

The *Bakke* case in 1978 presented the problem in a new light. The question was whether the same "solicitude" should be applied to test a governmental action designed to benefit rather than injure a "discrete and insular minority." The University of California used the *Carolene Products* case as its authority for arguing that "strict scrutiny" was reserved exclusively for laws injuring such minorities. Four members of the Court (Brennan, White, Marshall, and Blackmun in their "joint separate opinion") agreed with the university, arguing that individual members of the majority needed no protection from the majoritarian political process that authorized the actions of the university. They reasoned in effect that any injury to an individual member of the majority is, as it were, self-inflicted, because that individual is a part of the ruling majority. From this point of view, the equal-protection clause only protects against injuries perpetrated by the majority; an individual member of the majority would thus have no standing to complain of injury, because the injury was not suffered at the hands of "others."

The Court subsequently accepted this line of argument in the *Weber* case of 1979; it declared that the intention of the Civil Rights Act of 1964 was to provide class remedies for class injuries. Here the implication was that a member of the white majority had no standing since, again, he was a member of the majority that passed the legislation that led to the injury of which he complained. Even though the Civil Rights Act explicitly refers to "individuals," and in unequivocal terms prohibits the kind of racial classification upheld by the decision, the Court insisted that the rights at issue could be understood only in terms of the racial-class status of those involved. The implicit argument was that only those classifications that amounted to "stigma" were prohibited by the Civil Rights Act and that "benign" racial classifications are not stigmatizing.

Fullilove v. *Klutznick* represented the next step; it upheld a racial classification that was expressed on the face of a law. *Fullilove* involved a challenge to the Minority Business Enterprise portion of the 1977 Public Works Employment Act. The latter provided a 10 per cent set-aside

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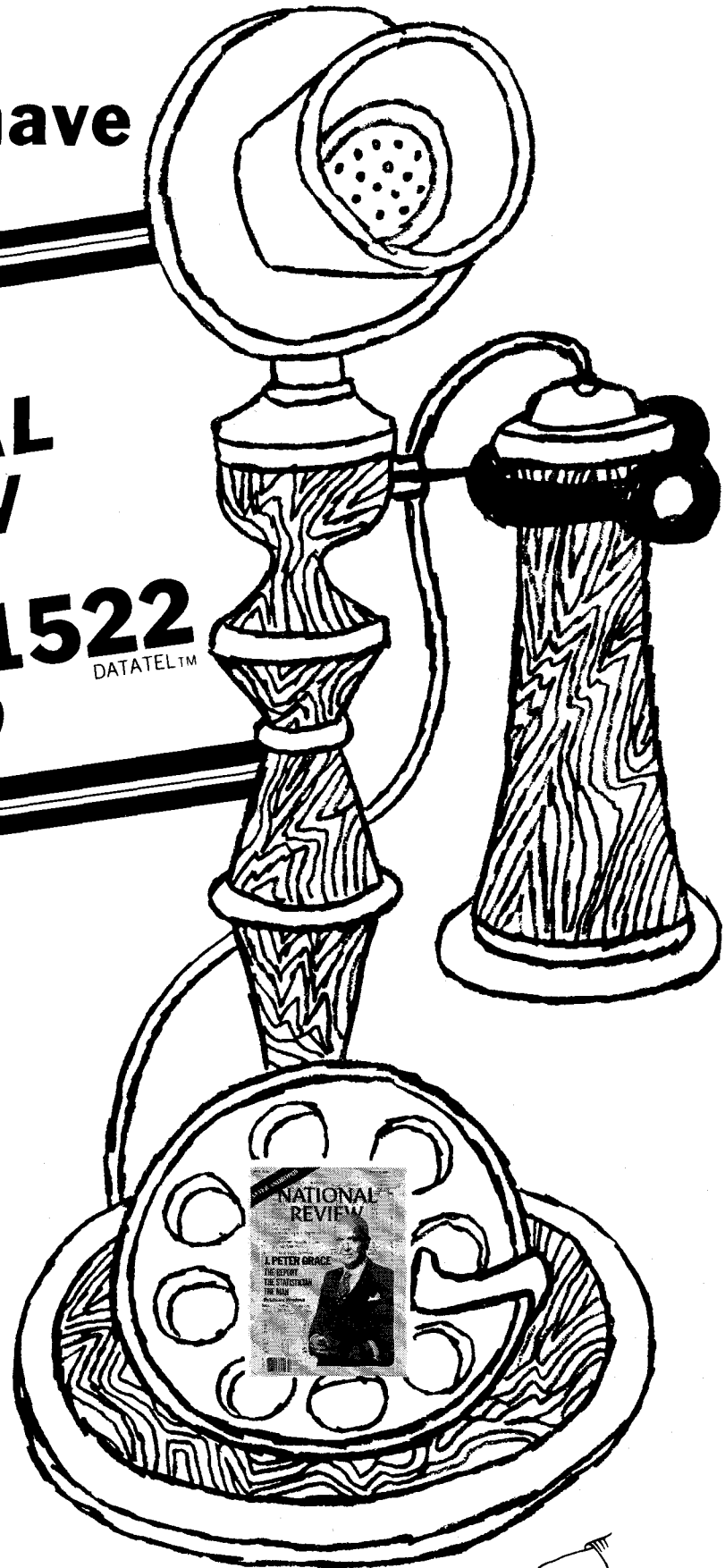

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Racial classification, once thought to have been abolished by Brown, is now widely recognized to be required by it

for minority businesses in local public-works projects. This applied to blacks, Hispanics, Orientals, Indians, and Aleuts. Writing for a plurality, Chief Justice Burger remarked that Congress's power under section five of the Fourteenth Amendment was "equated . . . with the broad powers expressed in the Necessary and Proper Clause." He also noted that " 'a sharing of the burden' by otherwise innocent parties is not impermissible." The irony was that at its inception the idea of the "discrete and insular minority" was designed to curtail such deference to legislative judgments when racial classifications were involved.

According to a great principle of liberal jurisprudence, whenever the law has created an injury, it must afford a remedy. But a necessary concomitant of this principle is that no one can be made a part of the remedy who has not been a part of the injury. Both of these precepts derive from the assumption of individual moral responsibility. As Justice Powell explained in *Bakke*, "There is a measure of inequity in forcing innocent persons in respondent's position to bear the burdens of redressing grievances not of their making." Using class considerations as a means of fashioning equitable remedies for such injuries as "historic" discrimination or "the present effects of past discrimination" will inevitably destroy the possibility of a jurisprudence based on constitutional principles. Only if the equal-protection clause is viewed as the guarantor of individual rights can the Constitution be applied in a nonarbitrary manner.

As the Framers of the Fourteenth Amendment, as well as the Framers of the Constitution, quite certainly knew, class politics is not compatible with constitutional government. Prior to *Brown*, the Court steadfastly insisted that the "rights created by the . . . Fourteenth Amendment are, by its terms, guaranteed to the individual. The rights established are personal rights." Moreover, the Civil Rights Act of 1964 maintained the same perspective. It is a perfect expression of the Fourteenth Amendment's requirement that no individual should be required to carry the burden of a racial classification.

In *Bakke*, Justice Powell persuasively argued that the Court has never approved a remedy based on race absent "clearly determined constitutional violations" and a clear demonstration of individual injury. Yet a majority of the Court now seems ready to argue, not for the vindication of discernible constitutional rights, but for remedies for unspecified past discriminations identified solely by class. As Justice Marshall has remarked, "It is unnecessary in twentieth-century America to have individual Negroes demonstrate that they have been victims of racial discrimination; the racism of our society has been so pervasive that none, regardless of wealth or position, has managed to escape its impact." Yet, the only way Allan Bakke could be said to have been involved in the unspecified injuries that produced racial disproportion in California's medical schools is if all members of Bakke's racial class—all whites—are somehow guilty of all past discrimination and the present effects of that discrimination; their individual actions must be held irrelevant. Without such reasoning, it is impossible to argue that Bakke was not injured by the actions of the university that refused to admit him.

IV.

Let us return to *Brown*. Since Chief Justice Warren failed to articulate any constitutional principle for the decision, it is difficult to believe that a simple reliance on Harlan's *Plessy* dissent, with its invocation of a "color-blind" Constitution, would not have served the cause of liberal democracy much better. Today, hardly anyone doubts that the *Brown* decision reached the right result in invalidating state-supported segregation of schools. But, as Judge Frank once remarked, "a bad reason can be given for a good decision," and in the case of *Brown*, the bad reason has been more influential than the good decision. Warren had good constitutional arguments available to him, and it was completely unnecessary to resort to the desultory psychological arguments of Kenneth Clark. Yet Warren seemed intent upon ignoring the Constitution; he went so far as to remark that the Fourteenth Amendment could shed no light on the question.

The Chief Justice noted that researches into "circumstances surrounding the adoption of the Fourteenth Amendment" might "cast some light" but are "at best . . . inconclusive." In a passage that surely has no parallel in the annals of legal reasoning, Warren goes on:

> The most avid proponents of the post-War Amendments undoubtedly intended them to remove all legal distinctions among "all persons born or naturalized in the United States." Their opponents, just as certainly, were antagonistic to both the letter and the spirit of the amendments and wished them to have the most limited effect. What others in Congress and the state legislatures had in mind cannot be determined with any degree of precision.

Why should the opponents of the Civil War Amendments be a part of the calculus that Warren constructs here? After all, they lost. It borders on the disingenuous to say there was vigorous opposition to those amendments and that such opposition casts doubt on the intention of the Framers of them.

Education never became a subject of the debates over passage of the Fourteenth Amendment, and its intended effect on segregated schools was never mentioned. Indeed, under the circumstances—especially at a time when compulsory public education was not widespread—it would have been surprising if the subject of education *had* become a part of the debate. It is, however, possible to extend the principle of the Fourteenth Amendment to cover areas that were not discussed. That is the essence of judicial statesmanship: applying fundamental principles to changing circumstances, recognizing that while the circumstances change the principles themselves remain the same. Warren seems, however, not to have believed that there were any principles embodied in the Constitution or its amendments.

The primary purpose of the Framers of the Fourteenth Amendment was to secure for the newly freed slaves fed-

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eral citizenship and to extend to them the whole panoply of civil rights that are the necessary elements of federal citizenship. After all, the *Dred Scott* case had never been overruled. In order to forestall any attacks upon the citizenship of the former slaves, the Framers made it clear that federal citizenship was primary and state citizenship derivative, so that any person who was a citizen of the United States was automatically a citizen of the state where he resided. It became impossible for the states to withhold state citizenship and the rights attached to it. Whatever rights were extended to white citizens would be extended equally to blacks.

That, in fact, is what is meant by equal protection of the laws, which assumes that racial classifications can have no legitimate role to play in constitutional government. Over the years the Court developed this assumption into the doctrine of "strict scrutiny," which viewed all racial classifications as "inherently suspect," and presumably unconstitutional. As applied by the Court, this scrutiny rarely failed to invalidate the law in question. In fact the Warren Court brought this doctrine to perfection, invalidating a variety of discriminatory legislation. If Warren had used this argument in *Brown*, the invalidation of the state segregation laws would have retained some aura of constitutional jurisprudence. Since the 1930s, in fact, a whole series of cases involving law schools and graduate schools had used this basic argument to invalidate state-supported segregation. None of these decisions overruled *Plessy*, to be sure, but by 1954 so little was left of the "separate but equal" doctrine that a direct attack on *Plessy* was the best constitutional strategy. In the *Brown* case the burden would have been on the states to show any compelling necessity of segregation in grammar schools, and the states would have been unable to do so.

Unfortunately, Warren chose other grounds for the explication of the equal-protection clause. He did not require a demonstration of individual injury. As he remarked, segregated schools "*may* affect" the "hearts and minds" of schoolchildren "in a way *unlikely* to be undone." There was no showing of individual injury, nor any evidence of the remedy's effectiveness. The formulated remedy was classwide, because the injury was presumed to be classwide. The Warren Court quickly learned that the formulation of such extensive remedies was the most effective vehicle for the expansion of judicial power. Thus busing—a racial-class remedy based on racial proportionality—was an inevitable outcome of the *Brown* case. Racial classification, once thought to have been abolished by *Brown*, is now widely recognized to be *required* by it.

The intrusion of class into the Constitution is a dangerous proposition, one clearly at odds with the moving principles of the regime—principles ultimately derived from the proposition that "all men are created equal." Class considerations deny this equality; they abstract from the individual and ascribe to him class characteristics that are different from—and necessarily unequal to—those of individuals in other classes. If there were no inequalities implicit in class distinctions, such distinctions would simply be superfluous.

The Founders of our regime knew well that all class politics was incompatible with the principles of liberal government. For example, Madison described the problem of republican constitutionalism in this manner: "It is of great importance in a republic, not only to guard the society against the oppression of its rulers; but to guard one part of the society against the injustice of the other part." The first aspect of the problem is addressed by the separation of powers; the second, and more difficult, requires an extensive regime with a "multiplicity of interests" designed to prevent the formation of a "majority faction." Madison reasoned that in a large, diverse republic it will rarely be in the *interest* of the majority to invade the rights of the minority. Since, in all probability, there will be no permanent class interests in society, it is unlikely that there will be either permanent majorities or minorities; thus the majority will never develop a sense of its own identity and interest. Such a situation renders it unlikely that "a majority of the whole will have a common motive to invade the rights of other citizens." The majorities that do form will be coalitions of minorities that come together for lim-

(Continues on page 53)

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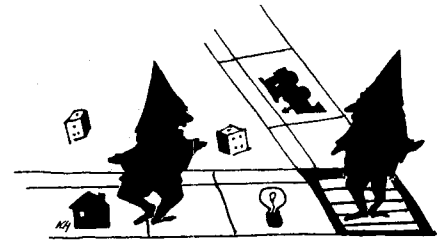

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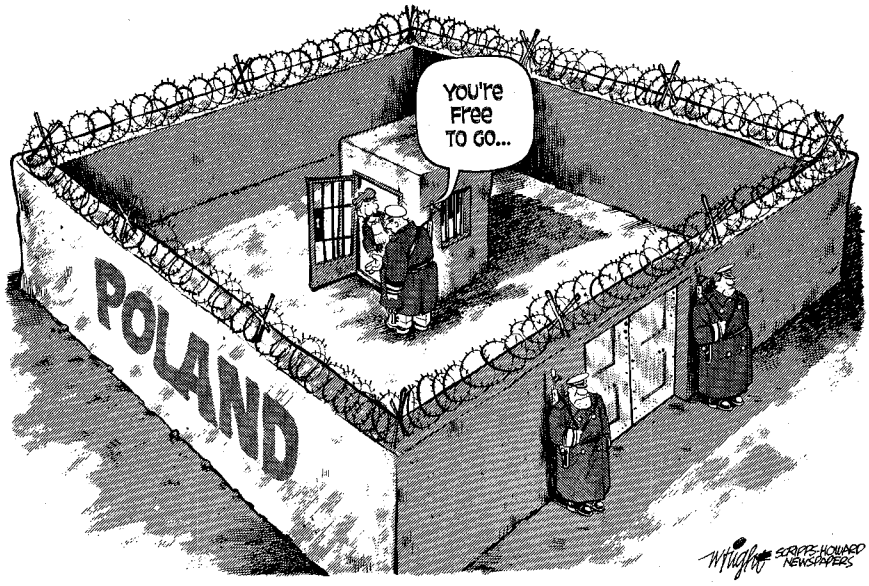

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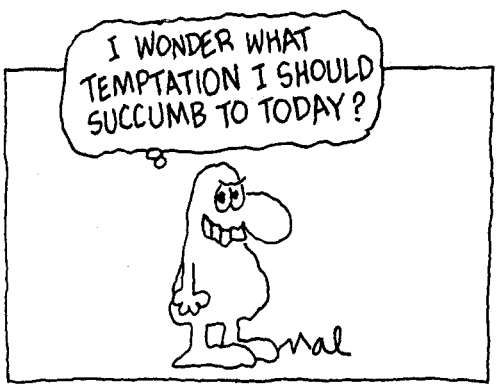
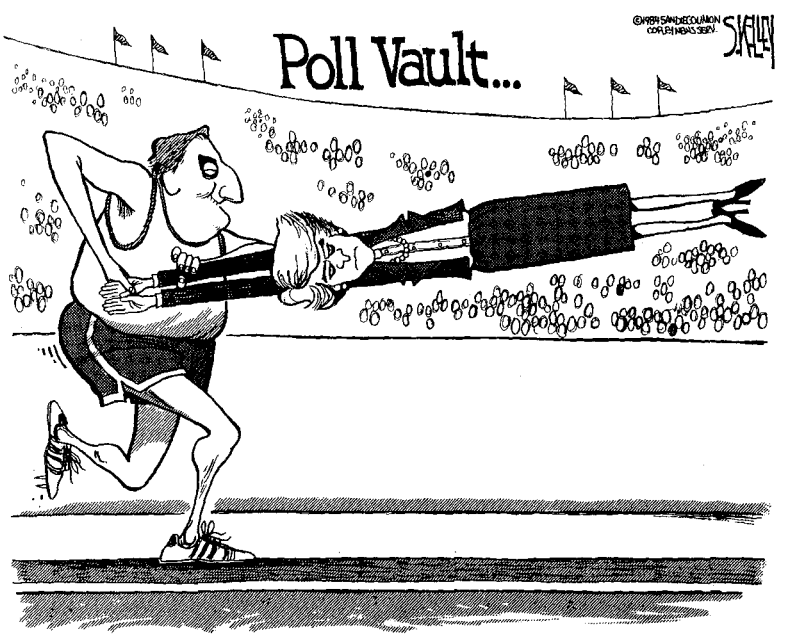


Not Their Cup of Tea

Jane's Fighting Ships, the British mag
That tends to make progressives gag
By publicizing naval news,
Reports the Soviets will cruise
With eight new carriers at sea
By Nineteen Ninety-Two or -Three.
Of course, both Fritz and Geraldine
Prefer a welfare magazine.

W. H. von Dreele



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THE FREEZENIKS

TWENTIETH-CENTURY Americans live their lives in blithe insularity. The condition stems in part from our geography, which has rendered us effectively an island, bordered by oceans east and west and by harmless nations north and south. Yet it is not merely that Americans live thousands of miles down the road. The mystery of American insularity has its roots in our unusual history, our polity, our social structure, wealth, and individual sense of power. Even the thrust of technology contributes to it, detaching Americans from their fellows and allowing them to isolate themselves in their own audio and visual fantasy worlds.

Immigrants arriving from the Old World filled an empty space. Without ancient ruins to daunt them, without forbidding social barriers to restrain their pursuit of happiness, without even much congestion to slow them down, Americans have been free to attend to their own yearnings. Not surprisingly, Americans have rarely looked abroad. When we travel we travel to Hiltons via TWA. Foreign ways do not much fetch us.

Unfortunately, history does not respect America's right to privacy; and in the 1970s those evening television broadcasts that American technology had transformed into amusements were becoming political instruments for the world outside, instruments whose use encouraged violence and instability.

No one has yet fully thought out a role for twentieth-century American diplomacy that would reconcile the youthful Republic to its burden as the giant of Western democracy. Americans are chary of using power or of thinking in statesmanlike fashion. They utter sonorous pronunciamentos. They vacillate. They send in the Marines. They feel remorse. In international relations Americans tend toward the sophomoric, and so naturally our country has been fecund with "peace" movements, which are essentially a renunciation of

the outside world, a denial of reality and of history.

In the 1920s the American peace movement was more active and effective than its European counterparts. "If one word was repeated more often than any other," historian Robert Ferrell wrote of this period, "that word was 'peace.' Peace echoed through so many sermons, speeches, and state papers that it drove itself into the consciousness of everyone." Yet there was to be no peace. Years of isolation here and of appeasement in Europe culminated in world war; and only after an expensive military mobilization, and then a bloody struggle, was peace secured—and a tragically flawed peace at that.

In *The Second World War*, Churchill wrote: "There never was a war more easy to stop than that which has just wrecked what was left of the world from the previous struggle. The human tragedy reaches its climax in the fact that after all the exertions and sacrifices of hundreds of millions of people and of the victories of the Righteous Cause, we have still not found Peace or Security, and that we lie in the grip of even worse perils than those we have surmounted." Those perils were nuclear war and Soviet tyranny.

The blame for much of the tragedy and peril over which Churchill brooded lay with the United States. The Republic disarmed with naïve swiftness. While the Soviet Union was rebuilding its battered army into a huge force of more than 260 divisions, Washington reduced its defense budget from $81.6 billion in the last year of the war to $13.1 billion in fiscal 1947. There the figure stood until the invasion of South Korea. During these years the Soviets were gobbling up Eastern Europe and reaching for Germany and parts of Turkey, Greece, Iran, and even Japan.

Americans have such difficulty recognizing that other nations are different. We even get confused about nations like the Soviet Union with its record of genocidal purges in the 1930s, its complicity with Nazism in the 1939 partition of Poland, its bloody policies of forced repatriation after the war—policies that made American and British soldiers accessories to mass murder and enslavement. When events like the ham-fisted Communist *coup* in Czechoslovakia and the Berlin blockade fetched our concern, we adopted a policy of "patience and firmness"—but we remained disarmed. As in the doleful chant of the 1970s peace movement, Washington did "give peace a chance," and it was only after the invasion of South Korea that we mobilized, making the United States again militarily formidable and the Soviets less restless.

Yet even when America has been militarily formidable the peace has been uneasy. As the danger waxes and wanes

Mr. Tyrrell is editor of The American Spectator. *This article is adapted from his new book,* The Liberal Crack-Up, *which will be published this fall by Simon & Schuster.*

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peace movements grow and decline. With the growth of the Soviet thermonuclear force in the 1950s the movement waxed. It waxed again in the early 1960s with the Berlin Wall and the Cuban missile crisis. During the Vietnam War it expanded to heroic dimensions, and it appeared again in the 1970s after the breakdown of détente. Yet no peace movement has ever brought peace, except perhaps in Indochina, and there it brought the peace of the grave for millions and the peace of the cell block for hundreds of thousands more.

Compared to the peace movements of the 1920s and 1930s the peace movement of the postwar period has grown increasingly radical. That is to say it has been strenuously leftist and, of necessity, deceitful. Its favorite panaceas—disarmament, appeasement, wanton negotiability—have invariably led to bloodshed. Scholarly standards demand, then, that we redesignate this movement the anti-defense movement.

The postwar anti-defense movement's evolution from moderation to radicalism proceeded slowly and steadily until the late 1960s, when it lurched toward rampancy. In the late 1940s the movement merely advocated banning the atomic bomb and kissing the Soviets on both cheeks. But if the movement drew any conclusions from such dramas as the Berlin blockade or the Cuban missile crisis, it drew the wrong ones. Rather than growing sober-minded and resolute it grew balmier.

Two Cheers for Khomeini

By the 1970s the peace movement had in fact become anti-defense and pro-appeasement. In so doing it accomplished an absolutely amazing feat. Through all its disquisitions, propositions, and slogans it managed to ignore most of the growing evidence of Soviet truculence and all that this portended. Consequently it was able to portray buildup as utterly irrational.

Too often, the peace movement sided with aggression and cruelty. Consider just two of its hare-brained cheers. In March 1979, with the Ayatollah Ruhollah Khomeini's dirty-necked galoots in full rebellion against civilization, *The Nation* published a piece full of hope:

> There have been incidents of execution for homosexual rape and flogging for theft and alcohol consumption. . . . At the center, there has been a struggle mounted around the issue of the status of women. To Western liberals it has confirmed their worst fears about the fanatical character of the Khomeini movement. Yet the evidence is mixed. Demonstrations have been organized by women, their consciousnesses raised, their voices heard.

And then there was Richard Falk. In this one prosy sausage in *Foreign Policy* he interlarded most of the esoteric anti-Americanism of the era:

> One of Washington's problems in formulating a position toward Khomeini's movement may be its relative ignorance of the Ayatollah's philosophy and of Shiite Moslem doctrine generally. It is entirely different from the harsher Sunni variety that currently prevails in Saudi Arabia, Libya, and Pakistan, among other Moslem nations. The entourage around Khomeini, in fact, has had considerable involvement in human-rights activities and is committed to a struggle against all forms of oppression. The constitution he proposes has been drafted by political moderates with a strong belief in minority rights. Contrary to the superficial reports in the American press about his attitude toward Jews, women, and others, Khomeini's Islamic Republic can be expected to have a doctrine of social justice at its core; from all indications, it will be flexible in interpreting the Koran, keeping the "book of research" open to amendment and adaptation based on contemporary needs and aspirations.

In the late 1970s the radicalized members of the anti-defense movement professed to be nonpartisan or apolitical, but here is another of their deceits. Each peace activist was directed by a brain whose every nook and cranny had been fully stocked by the New Age Zeitgeist. Disarmament and appeasement might be his primary enthusiasm, but he was alive to every exigent cause fevering the brow of his fellow enthusiasts: infant formula in Ouagadougou, Upper Volta; throwaway bottles in Indian Orchard, Massachusetts; the plots of the Tobacco Growers Association of the United States.

Consider some of the wild agitations of the movement's eminent minds. Consider the Most Reverend Raymond G. Hunthausen of Seattle. In 1981 Archbishop Hunthausen harangued a group of Lutherans with such euphuisms as,

> Nuclear arms protect privilege and exploitation. Giving them up would mean having to give up economic power over other people. . . . Giving up the weapons would mean giving up more than our means of global terror. It would mean giving up the reason for such terror—our privileged place in the world.

"Privilege and exploitation"? "Economic power over other people"? All this, agglutinated into a discourse on nuclear weapons?

The peace was no more intensely imperiled in the late 1970s than in earlier postwar decades. Yet suddenly pontificators like Archbishop Hunthausen were swept by an ardor akin to mass hysteria. "The next time you hear a politician talking about nuclear war," the critic Richard Ellmann sobbed on the February 15, 1980, broadcast of National Public Radio's *All Things Considered*, "why not vomit all over him. Or soon we'll be vomiting on each other."

Disneyland for Zealots

The *modus operandi* of the anti-defense movement was the same as that adopted by the age's other puerile fanaticisms. The anti-defense appeasers created a Disneyland for zealots with gruesome displays, macabre parades, goofball theatrics. In place of reasonable debate, horrid forecasts were invented for every community in the great Republic. "Suppose a one-megaton bomb were dropped near ground level over Cambridge City Hall," a typical scenario distributed by the city government of Cambridge, Massachusetts, prophesied. "Almost all Cambridge citizens would be killed. City Hall, the Central Square Post Office, and the YMCA and YWCA—all would disappear into a crater about twenty stories deep. A rim of deadly radioactive soil would be thrown up twice as far as where . . ."

Was foreign policy once the province of professional diplomats? Well, then no wonder there was discord and war. Now was the hour to muster the no-nonsense anti-defense housewife, the pacifist cleric, the speech therapist with a lifelong interest in the works of Erich Fromm. That nuclear holocaust scheduled for the morrow could be postponed forever.

Though every gruesome scenario came empurpled with facts and figures, some large facts passed almost completely unnoticed, for instance our NATO allies' reliance on our deterrent capacity, and, of course, Soviet militarism. The whole question of nuclear

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disarmament, in point of fact, was addressed as if the rest of the world hardly existed—not our allies, not the increasingly volatile Third World, and certainly not Moscow with its chain of terrorism franchises.

The anti-defense appeasers actually spoke of a "growing Soviet peace movement," while, on the same weekend that 500,000 nuclear-freeze proponents demonstrated in Central Park, 11 members of a week-old independent Russian peace group were arrested in Moscow for attempting to meet in a private apartment. All were charged with "hooliganism," and their spokesman was confined to a "psychiatric hospital."

Such sad realities were lost on the demonstrators in Central Park, who, when they thought at all of life under Communism, thought much as the editors of *The Nation* did when they made one of their rare acknowledgments of the Soviet bloc's existence. They suggested that members of the West's "peace movement" put pressure on "leaders of the undemocratic East" through a bold stroke: "Why not a letter-writing campaign?"

> This does not mean letters to their leaders—rather, millions of letters from ordinary people in the West to their counterparts in the Soviet bloc. Let us procure phone books and address lists from Moscow, Leningrad, East Berlin, Dresden, Warsaw, Krakow, Bucharest, Budapest, Prague. Let us distribute the lists of names at peace demonstrations in Western Europe and North America. . . .

Halt! Moscow telephone directories indeed! Moscow is not abundant with telephone directories.

Apparently America's popinjays for peace were incapable of facing up to the fact that throughout the years of détente the Soviets had carried on the nuclear era's most extensive research, development, testing, and deployment programs. Their unexpectedly rapid qualitative advances in missile accuracy, targeting, yield, and strategic defense, coupled with their unparalleled quantitative buildup in offensive nuclear weaponry, had arguably tipped the strategic balance in their favor for the first time in history. The Soviet buildup in conventional weapons, too, had been enormous. From 1972 to 1982 the Soviets outspent their American partners in détente by more than $700 billion and were capable of wiping out at least two legs of the American strategic triad with a first-strike blow.

Those were not the only disturbing Soviet realities that were ignored. In Southwest Asia the Soviets had invaded Afghanistan, where they used chemical and biological warfare against the country's ragtag tribesmen. In fact the land of the "growing Soviet peace movement" was a giant police state, as much at war with its citizens and its neighbors as with the West.

What we had here was another enormous act of denial. Rather than face up to troubling realities, the anti-defense appeasers simply denied reality, a denial eerily reminiscent of the denials practiced in the 1930s by those who would not acknowledge the immensity of the Nazi evil. This act of denial, however, was harder to condone. After all, during the 1970s American popular entertainment abounded with Holocaust dramas. Surely our 1970s Quixotes were aware of the results of appeasing Hitler.

'If We Know Anything . . .'

THAT THE peace movement survived as a credible political force into the 1980s is evidence of the political decadence of the late 1970s. All the movement's prophecies about Southeast Asia had been proven thunderously wrong. All its truths had come a cropper. All its lies and perversions stood exposed. "If we know anything about the government founded by Ho Chi Minh," declared Shana Alexander as Saigon fell, "it is that its social services are excellent: good health care, day care, and educational programs abound, especially for the poor." This was an imbecilic statement in 1975. Five years later such beliefs were imbecilic and unconscionable. North Vietnam's General Vo Nguyen Giap obligingly told French television that the antiwar movement had been wrong on practically every point. North Vietnam had been out to conquer and enslave the South from the start.

Yet the members of the movement had learned nothing by the 1980s nor, sad to say, had many of Shana Alexander's associates in the media. The doves of the early 1970s now actually claimed to have been vindicated by the bloody aftermath of the fall of Indochina—and they got away with it! The lies stood unchallenged by the media or by major political figures.

Soon the doves were all back dispensing their old moonshine. They would bring progressive government to Central America and prevail upon the superpowers to disarm. Bella Abzug, Jane Fonda, Robert Drinan, Daniel Ellsberg, the folk singers, the rock singers, the sanctimonious profs, all were back representing what the *New York Times* in the spring of 1982 described as a "rainbow spectrum" of political groupings. Even the chants were the same: "All We Are Saying Is Give Peace a Chance."

Accordingly Jimmy Carter, when he first arrived in Washington, staffed his White House with opponents of the Vietnam War and disciples of McGovernism. He lectured Americans on their "inordinate fear of Communism." He de-emphasized military preparedness, stressed the omnipotence of negotiations, and fastened upon a foreign policy in perfect cadence with the self-absorption of the era—to wit, a policy of moral superiority and isolation from all the bloody consequences of each greenhorn miscalculation. Merely by displaying high-mindedness we would influence the world. "To me," Carter wrote in his memoirs, "the demonstration of American idealism was a practical and realistic approach to foreign affairs, and moral principles were the best foundation for the exertion of American power and influence." By the time Jimmy Carter left office in 1981, the world was for us and for others a more dangerous place.

Persuasion, moral exhibitionism, and offers of conciliation in response to any provocation were at the heart of the Carter foreign policy, and they proved useless. The Administration was impotent to end Hanoi's brutality toward the boat people or to end the Soviet occupation of Afghanistan; and, when Carter attempted negotiations with the Ayatollah, the old crank humiliated him for 444 days. A conciliatory gesture in the face of brutality emboldens the brutes; and sometimes it enrages them. That is the lesson of Carter's misadventures in Iran.

Charles de Gaulle revealed the delusions of the anti-defense appeasers of his day and of ours when he wrote, "If those who make use of the force of France lose heart, not only will our country be menaced, but the very harmony of the general order of things will be shattered. If wise men give up the use of power, what madmen will seize it, what fanatics?" □

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ABROAD

BAGHDAD *In Relief*

The stalemate of Western policy in the Middle East following the withdrawal of peacekeeping troops from Beirut has thrown into relief Soviet positions in the region, according to diplomatic observers here. While Soviet support for Syrian and Libyan initiatives is taken for granted, observers say that the resumption of diplomatic relations between Moscow and Cairo, following a long series of conciliatory moves, must be counted a clear success for Soviet diplomacy. Moscow is also now considered to be in a position of considerable strength in the Persian Gulf. Not only has it reassumed its earlier position as principal military supplier to Iraq—with whom, for example, it recently signed a nuclear assistance treaty—but it has also maneuvered with some success within the Tudeh, the Iranian Communist party, to reduce its hitherto unconditional support for Islamic fundamentalism.

FARNBOROUGH *Buying Soviet*

The Soviet Union will attempt to make a commercial breakthrough in sales of civilian aircraft and equipment to Western airlines at the British air show at Farnborough in September. A fifty-man-strong Soviet delegation will hustle three different aircraft and entertain Western buyers at a lavish hospitality house during the show in an unaccustomed exhibition of salesmanship. The planes are the Il-86, a wide-bodied, 350-passenger commercial "airbus"; the An-72, a twin-engined cargo carrier designed for short runways; and the huge Mi-26 helicopter, which has eight rotor blades and a normal twenty-ton payload, five tons more than its biggest American rival. Heretofore, Soviet aviation products have flopped in the West, mostly because the Soviets have consistently refused to let Western buyers into their factories to check on production methods and quality-control procedures. The helicopter will probably arouse the most interest, even though it has been used so far only in military service. Two large trucks can fit into its main cargo space, and it recently flew to a level of 13,000 feet carrying a load of 25 tons, an unprecedented feat.

CANBERRA *Booming Again*

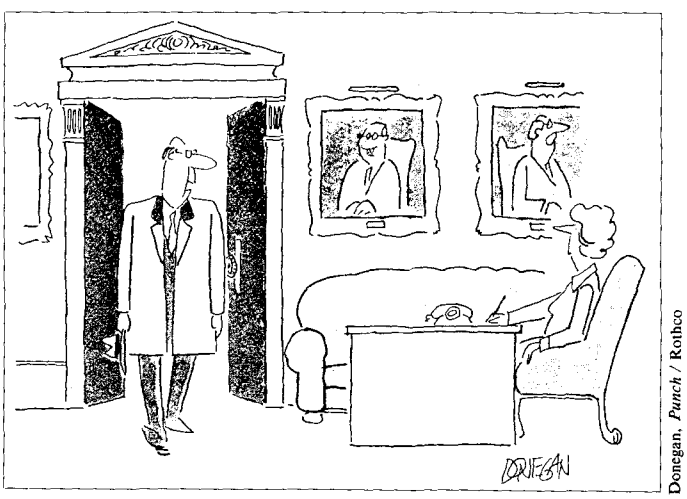
Australia has rejoined the ranks of the boom countries by racking up an annual growth rate of 7.9 per cent, according to figures for the first quarter of this year, and predictions of a 10 per cent rise in the Australian GNP are being heard in the land. A sharp improvement in corporate profits has been largely responsible for the dramatic turnaround, and stocks have zoomed up after a decline of a year and a half. Wage increases have slowed, and although consumer spending has risen very mildly, business profits have shot up by more than 17 per cent. Unemployment remains below 10 per cent, and inflation below 6 per cent. Labour Prime Minister Bob Hawke is being urged to call a new election to capitalize on these successes, although there are a number of warning signs on the horizon, including what are considered over-ambitious projects for state spending as well as protectionism among labor unions. Dispassionate observers say that much of the government's economic success is due to the ending of the worst drought in Australian history since Labour took power 15 months ago.

BERGEN *Mussel-Bound*

One of the minor but abiding difficulties facing those who run the North Sea oil and gas rigs are the huge encrustations of mussels that regularly build up on the surface of the rigs' legs. The weight of the shellfish causes structural problems, and it takes divers hours of laborious chipping away before the rigs are clear of them. Now oil engineers and marine biologists have come up with a solution—coating the steel legs with a rubber silicone that slowly releases oil to the surface of the steel and makes it impossible for the mussels and other marine organisms to fasten themselves there. The technique is believed to have wide application throughout the world, especially in warm waters, where marine animals of this sort are more numerous and therefore more of a problem.

NETHER STOWEY *Good-bye*

The village postmistress has long been a familiar character in chronicles of English country life, especially detective fiction, but for her kind in many a picturesque hamlet across the land, the bell is tolling. The institution, at least in its historical role, seems doomed. British postal authorities have decided, on the basis of a cost-effectiveness study, that approximately one thousand of these sub-post offices, as they are called, must close. In many a village, a lively neighborhood presence will have gone, along with the men and women who run them, dispensing information, advice, and comfort year in and year out. For the post office in Britain does far more than distribute mail and sell stamps and money orders. It also pays out old-age pensions and unemployment compensation, issues dog licenses, and runs its own savings bank. The actual decree stipulates that there should not be less than a mile between two post offices anywhere in the country. This fact in itself gives a vivid idea of how intimate a part of the community such post offices could be, nearly always one-man operations. In some cases, the old people of a village may have no one else to talk to all week long.



Donegan, *Punch* / Rothco

"I'm going to lunch, Miss Whitney. Put the company on autopilot."

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DEFENSE PREPAREDNESS

Is the United States really prepared militarily to meet its many commitments abroad? Half of each of the past two numbers of *The Public Interest* has been devoted to exploring "America's Defense Dilemmas." The situation is not encouraging.

In a splendid article in the Spring issue, Georgetown professor Philip Gold —himself a Marine Corps Reserve officer—discusses the expectations being placed on reserve forces in current U.S. military planning. Gold begins with the observation that there are essentially two types of military forces. Territorial-defense forces deter or defeat aggression at or around a nation's borders. But, writes Gold, "By the grace of God and geopolitics, the United States does not fight on its own soil." American military forces are expeditionary forces. Historically, expeditionary forces rely on long-term, well-trained manpower—something the U.S. does not have enough of.

Gold notes that U.S. forces are "currently committed, or slated for commitment, across the planet: Central Europe, the Middle East and Southwest Asia, Korea, the Western Hemisphere —almost anywhere. No nation in history has ever attempted to fulfill such an array of commitments. Nor has any done so less wisely—at least in terms of its manpower policies."

Gold takes aim at the Defense Department's so-called "Total Force" policy. Faced with global commitments but inadequate manpower, the Defense Department more than a decade ago concocted the doctrine that reserve forces, for planning and deployment purposes, should be treated as the functional equivalents of their active-duty counterparts. "Because of the U.S. Total Force policy," writes Gold, "Selected Reserve units comprise *half the non-strategic combat capability and two-thirds of the combat support and combat service support capability of the United States.*" For example, 43 per cent of Army tank battalions are in the Army National Guard; 39 per cent of Army medical units are in the Army Reserve; the Naval Reserve is home to 88 per cent of the Navy's ocean-going minesweepers.

History, as well as common sense, argues against the proposition that part-time reserve soldiers and units are the equal of their full-time, active-duty counterparts. Of the three mobilizations since the Second World War—the 1950 Korea mobilization, the 1961 call-up during the Berlin crisis, and the activation of 37,000 reservists following the Tet offensive in 1968—two took more than a year to bring reservists to combat-ready strength, and the third required seven months. Says Gold: "In all these cases, individuals—those who showed up—proved grievously deficient in skills; units lacked manpower, equipment, and cohesion; and the political costs of the disruption of private lives and local communities were often exorbitant."

Gold points out that his criticism is not of the reserves themselves, which he thinks in most regards have never been better. The problem, rather, is that "there are limits to what even the most effective reserve structure can accomplish . . . limits which may some day exact a fearful human price from a society willing neither to reconsider its global commitments nor pay the price of meeting them."

The Summer issue of *The Public Interest* offers another essay on the military's personnel needs, called "On the Making of Lieutenants and Colonels." The preparation of those who will lead others into combat, and of those who will reach the highest commands, are the two crucial processes of military education, says Theodore J. Crackel, a Senior Fellow in Military Studies at the Heritage Foundation. All in all, between various Reserve Officer Training Corps programs and the service academies, Crackel sees "significant reason for satisfaction in the way the military trains those about to be commissioned." When Crackel turns his attention to the making of colonels, however, and especially to the five military war colleges through which virtually all high-ranking officers pass, he is considerably less buoyant. In what Crackel claims amounts to "a systematic discouragement of thinkers in uniform," the services have provided little opportunity to those inclined to spend time thinking about, writing about, or teaching military subjects. "The Air Force and Army have never brought themselves to admit that really good officers should be invested—for the long term—in military education. And the Navy . . . has turned over its institutions—the Naval Academy and the Naval War College—to civilians." Crackel sums up the situation this way:

> The sad truth is that none of the war-college faculties is in the forefront of developments in any of the military disciplines they teach. (This is also true of the service academies, not one of which can boast of a renowned uniformed military historian, or military geographer, or leader in the military application of meteorology or oceanography, or any other discipline.) In the senior service schools there are too few scholars of distinction, and virtually none of these is in uniform.

Crackel's conclusion is that the American military should develop a service track for education, geared to the development of a first-class military education system. The alternative, says the author, is continued reliance on civilian scholars in think-tanks and universities "whose influence is out of all proportion to their experience and their ultimate responsibility for the actual conduct of vital military affairs." □

Mr. Scully is editor of This World *and consulting editor of* The Public Interest.

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THE MINSK-PINSK STORY

Arnold Beichman

New Lies for Old: The Communist Strategy of Deception and Disinformation, by Anatoly Golitsyn (Dodd, Mead, 432 pp., $19.95)

History has many cunning passages,
contrived corridors
And issues, deceives with whispering
ambitions . . .
These . . . multiply variety
In a wilderness of mirrors.
—T. S. Eliot, "Gerontion"

ANATOLY GOLITSYN, now an American citizen, is a former major in the counterintelligence service of the KGB, which he joined in 1946. He defected in December 1961, at the age of 35, from his "cover" assignment as vice consul at the Soviet Embassy in Helsinki. He lived in England until August 1963, when he left for the United States. Here Anatoly Golitsyn worked for the CIA under the vigorous sponsorship of James Angleton, for twenty years head of counterintelligence until he was fired in December 1974 by the then CIA Director William Colby.

Golitsyn began working on this book almost from the moment of his defection. (The published version contains only half of his 1,200-page manuscript.) The book opens with an extraordinary introduction signed by four former U.S. and British intelligence officers. Three of the men have known the author and his views for 12 years or more. All four "have the highest regard for his personal and professional integrity." (He is an Honorary Commander of the Order of the British Empire.) They write in the introduction:

> Despite the rejection of his views by many of our former colleagues, we continue to believe that the contents of this book are of the greatest importance and relevance to a proper understanding of contemporary events . . . We commend the book for the most serious study by all who are interested in relations between the Communist and non-Communist worlds.

The need for these prefatory words will become apparent when we get to the summary of Golitsyn's thesis, which is breathtaking in its iconoclastic rejection of contemporary Sovietology. Golitsyn has been one of the most controversial personalities ever to have entered the CIA penumbra. The phrase "rejection of his views by many of our former colleagues" is laughable understatement of the enraged reaction toward Golitsyn and his views by former CIA officers, particularly those from the Soviet Bloc Division. (Some of these are quoted by name in David C. Martin's *Wilderness of Mirrors*.)

Golitsyn's theme is that, beginning with the power struggle that followed Stalin's death in 1953, "the West has misunderstood the nature of changes in the Communist world and has been misled and outmaneuvered by Communist guile." From 1958 or so onward, the combined intelligence and security resources of the entire Communist bloc were committed by Communist governments to playing an influential part in the implementation of the new long-range bloc policy. This has entailed providing Western intelligence with carefully selected "secret" information from inside the Communist world.

In other words, for more than a quarter-century the West has been victimized by disinformational events, ranging from false KGB defectors to the Sino-Soviet split, from KGB-controlled dissidents to Rumanian "independence," the Soviet-Yugoslav split after 1958, Soviet "liberalization," the Soviet-Albanian split, the 1968 "Prague Spring," power struggles in the Soviet, Chinese, and other Communist parties, and Eurocommunism. These "case history" happenings, says Golitsyn, are nothing more than beautifully planned and internationally coordinated KGB disinformation scenarios intended to gull the West into thinking that the Soviet Union is tossing about in a stormy ocean of opposition, both internal and external. In fact, the Communist movement remains a monolith despite any alleged evidence to the contrary. As Golitsyn puts it: "The feigned disunity of the Communist world promotes real disunity in the non-Communist world." While these scenarios were successfully hoodwinking Western statesmen and public opinion into thinking that time was on the side of the non-Communist world,

Arnold Beichman is currently a Visiting Scholar at the Hoover Institution, and is a founding member of the Consortium for the Study of Intelligence.

Peter Brimelow is a contributing editor of Barron's.

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RANDOM NOTES

☐ MORE SEPTEMBER TITLES: *Ida Tarbell: Portrait of a Muckraker* (Seaview/Putnam, $17.95), by Kathleen Brady, looks to be an interesting portrait of the *McClure's* writer whose stories, printed in the magazine between 1902 and 1904, about the business practices of the Standard Oil Trust led to legislation in Congress against the monopoly; yet who was also a staunch enemy of women's suffrage, arguing that the place of women was not in a man's world but in the home. . . . William Weaver's *Duse: A Biography* (Harcourt Brace, $19.95) is a capable study of the Italian-born actress who was so greatly admired by George Bernard Shaw, James Joyce, and Isadora Duncan, and who, sixty years after her death, remains "a continuing presence, an ideal, a criterion."

Automobile and Culture (Abrams, $45), by Gerald Silk et al., and with photographs by Henry Wolf, is published in conjunction with an exhibit at the Los Angeles Museum of Contemporary Art. It has much of interest to say about the influence of the internal combustion engine and of speed upon poetry, the plastic arts, architecture, and the modern mind itself.

The Collected Stories of Dylan Thomas (New Directions, $16.95), with a Foreword by Leslie Norris, consists of Welsh tales from the artist's early career, adumbrating the autobiographical themes of the poetry to come. . . . *Otherwise: Last and First Poems of Eugenio Montale* (Random House, $14.95; Vintage paper, $6.95), translated by Jonathan Galassi, includes previously uncollected verse, written in the periods 1918-28 and 1962-77, by the Nobel laureate.

Sam Bass Warner Jr.'s *Province of Reason* (Belknap/Harvard, $20) is a collection of sketches of 14 Bostonians from the late nineteenth century to the present, in which the author makes an end-run around inclusive historical labels and scholarly statistics to portray through critical biography the decline and rebirth of a region. . . . *Wildcatters: Texas Independent Oilmen* (Texas Monthly, $16.95), by Roger M. Olien and Diana Davids Olien, describes the rise and development of the U.S. oil industry, stressing the role of the by now 18,000-odd independents, who have traditionally borne the brunt of the industry's risk-taking.

—CW

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the USSR and its allies were building up and projecting their military and political power throughout the world with insignificant opposition from the West. How does one deal with this epistemological topsy-turvy?

Well, there is the famous Minsk-Pinsk "disinformation" story. It seems that two Jewish merchants and business competitors, Muttel and Yussel, living in a small town in czarist Russia, meet one morning at the local railroad platform, luggage in hand. Muttel asks Yussel, "So where are you traveling?" Yussel responds, "To Minsk." Angered by the reply, Muttel shouts: "You, Yussel, are telling me that you're going to Minsk so that I will think you're *really* going to Pinsk. But I know for a fact that you're going to Minsk, so why do you lie to me that you're going to Minsk?"

However, before we succumb to the "Minsk-Pinsk" temptation of laughing, albeit uneasily, at Golitsyn's theories, let us recall what occurred within a few days of Yuri Andropov's accession to power in 1982. Prestigious journalists and their newspapers swallowed hook, line, and sinker the fiction that the new Soviet dictator and former head of the KGB was a humane liberal from whom all blessings would flow if only Reagan would stop his old-fashioned cold-war blatherings. And this, after 65 years of documented Bolshevik tyranny!

Let us also remember that back in 1957 when Khrushchev ousted the so-called anti-Party group—Malenkov, Molotov, Shepilov, Kaganovich, and others—it was supposed to be a good thing because the defeated were irreconcilable hard-liners. Khrushchev was another humane liberal, he who then built the Berlin Wall, set off a nuclear bomb while the 1961 Non-Aligned Conference was taking place in Belgrade, and a year later was planting missiles in Cuba. If only newspapers, like autos, were subject to recalls . . .

However, I do have some doubts about Golitsyn's analysis. For example, Golitsyn absolves the KGB-Bulgarian *apparat* from involvement in the attempt on the Pope's life. It was a bungled job, ergo it couldn't have been the KGB. Aha! I say, but maybe it was deliberately bungled by the KGB so that Golitsyn and the CIA, which appears to have bought his theory, would say it couldn't be the KGB because etc., etc.

If Golitsyn's theorizing is correct, then we would have to admit that since the end of the Stalin era, we haven't laid a glove on the Kremlin; that from Khrushchev to Chernenko, the USSR has won all the battles without firing a shot in anger, except in Afghanistan; that every seeming victory over Communism has really been a defeat; that Lech Walesa may be either a dupe or a knave and so may John Paul II. If Golitsyn is correct, it means that some of the work of Sovietologists since 1958, much of it based on Soviet documentation and information from former Soviet citizens, is misleading and, therefore, hazardous to our health.

Specifically, if Golitsyn is correct that the Sino-Soviet split is an elaborate deception—and James Burnham in this magazine ("Bear and Dragon: What Is the Relation between Moscow and Peking?" Nov. 5, 1960) said as much—then playing the "China card" may really be playing the "Kremlin card." Aha! but this may be disinformational disinformation—there *is* a real Sino-Soviet split but the USSR, desperately trying to prevent Western military and economic aid to the PRC, has assigned Golitsyn to cast doubt on the authenticity of the split, despite the 1969 battle on the Ussuri River, despite all the polemics between the two countries. (The "aha!" school of political analysis can be very useful in these matters.)

I am also concerned about Golitsyn's assumption that there are no true power struggles in the USSR. He says, "There is no solid foundation for the belief that Khrushchev was removed by a power struggle." In other words, we have to assume that Khrushchev went willingly when so ordered —by whom, the Politburo?—as, a decade earlier, Malenkov resigned "joyfully." Anything is possible. Is it probable, however, that human nature is so different in upper echelons of Communist Politburos that the "perpetual and restless desire of power after power, that ceaseth only with death," which Hobbes described as "a general inclination of all mankind," has disappeared?

Most startling is Golitsyn's prediction that as part of the Communist bloc's strategy for victory the following events will soon occur: a public Soviet-Chinese reconciliation; a "spectacular and impressive" liberalization in the Communist bloc with amnesty for dissidents, who would be invited to return; the freeing of Sakharov, more trade-union independence, adoption of constitutional amendments guaranteeing fulfillment of the Helsinki agreements,

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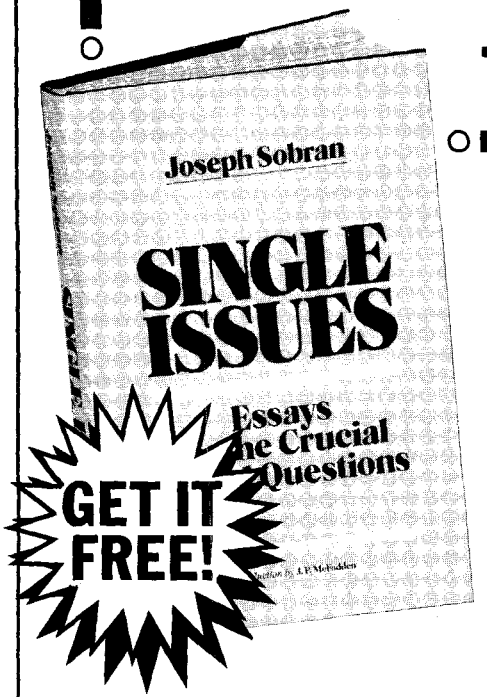

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reduction in the role of Communist parties; a revival of controlled "democratization" on the Czech pattern for Eastern Europe, and even the return of Dubcek to power; demolition of the Berlin Wall—all of them in reality "cosmetic steps," says Golitsyn, because they have been handed down from on high.

Well, I hope that these "cosmetic steps" do occur because they could well become the exemplification of Robert K. Merton's perception, expressed by the title of an essay by that eminent sociologist, of "the unanticipated consequences of purposive social action." The intention of Communist leadership in engaging in what in KGB slang is called *maskirovka* is to make possible world Communism. Will the East German people, however, seeing that the Wall has been razed, just stay where they are? Will the independentized trade unions not be tempted to behave like real trade unions, forgetting it's all an ideological jest?

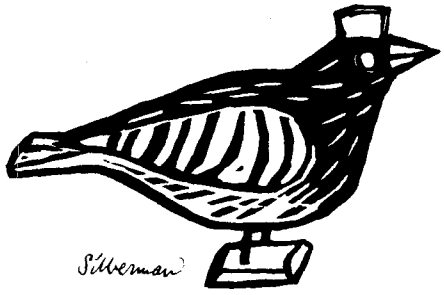
Despite such worries as these, I'm afraid I have not done full justice to Golitsyn's book. It must be read carefully to see how his theories emerge from his personal experiences in the KGB. Much of what he says is unprovable, yet as the Italian saying goes, *Si non è vero, è ben trovato.* □

IN GENERAL, RUN QUICKLY

Peter Brimelow

Bernard Baruch: The Adventures of a Wall Street Legend, by James Grant (Simon & Schuster, 352 pp., $19.95)

ACCORDING TO Jim Grant, Dorothy Parker once said that two things confused her: the theory of the zipper and the exact function of Bernard Baruch. This last confusion is not merely widespread; it is militant. The business of America may be business, but it is not its favorite leisure reading or topic of dinner-table conversation. Financial journalists learn early to accept that their field is not only harder to figure out and more difficult to write about than politics or culture; it is also inherently repellent to their media peers. Like all journalism, it beats working for a living, but not with the same fanfare.



One consequence of this schism in American culture—for there are of course millions of Americans who think about nothing but business, albeit mutely and ingloriously—is that public figures who come from the business side are apt to be viewed somewhat selectively. The undertone of puzzlement in last year's reviews of the first volume of George H. Nash's definitive life of Herbert Hoover, for example, arose from the fact that it turned out not to be about politics at all, but was instead a detailed study of the arcane but hyperactive world of turn-of-the-century mining promotion, in which the future President spent his youth. Equally, while there have been four biographies of Bernard Baruch, they have focused almost exclusively on his public career as chairman of the War Industries Board and general-purpose sage to the New Deal. Baruch's Wall Street prowess has been taken on faith, or rumor.

Baruch would have liked it that way. Grant, however, has proved to be an unusual biographer. Formerly the bond-market columnist of *Barron's*, he now publishes his own fortnightly commentary on interest rates. By working through the records with technical knowledge and remarkable assiduity, he has been able to establish, among other things, that contrary to legend Baruch did not foresee the 1929 Crash, and was quite badly hurt in it. His financial assets fell from the $22 to $25 million range in 1929 to about $16 million in 1931. He was far from being one of the richest men in America. Yet newspaper columnists, many of them quietly subsidized by Baruch, went on asserting the contrary and pounding both ideas into the public skull. The political influence Baruch pyramided upon this financial fame was equally illusory—or at least intangible. It attracted both the indignation of the Nazis, who marked him for death, and the suspicion of Franklin D. Roosevelt, who constantly maneuvered in his amiably lethal way to keep Baruch and his allies away from real responsibility. But in fact much of the time Baruch was essentially a political courtier, lavishing dinners and shooting trips on the mighty in return for the privilege of their presence, a sort of Washington hostess on a grand scale, whose actual raw power was marginal at best.

To those interested in financial markets, Grant's work is valuable in itself. No one is always right in the stock market. Despite his failures, Baruch was by any standard except that of his own reputation a fine speculator. He made his initial fortune with a series of daring coups, often as a result of inside information gathered in the course of his work as a broker, a practice that would now be illegal. But he was not addicted to risk. Although he remained an active trader into his nineties, he became cautious as soon as he could. This meant he often sold too early, but it was also the key to his surviving the Crash. There is a considerable professional literature on the art of speculation; Baruch's post-Crash memorandum to himself, reproduced by Grant and containing the ringing resolution, "In general, run quickly," will certainly merit a place in it.

But beyond this, Baruch's trading persona was clearly the precursor of his political attitudes. Nominally a conservative Southern Democrat—his father, a physician, fought for the Confederacy and was subsequently a member of the Ku Klux Klan—Baruch "ran quickly" whenever he found himself on the losing side of an ideological dispute, whether it was the inadvisability of imposing reparation payments on Germany at Versailles or the value of a gold standard during the New Deal. "As a young man he became rich by taking chances," observes Grant, "but as an old man he became famous by playing it safe."

Baruch's flexibility was more than self-interest and sycophancy. Although he had views about everything, he had systematic thoughts about nothing. For a speculator, this can be a very helpful trait, because it means that he can reverse himself without shame when the markets don't agree with his judgment, as inevitably happens. In politics, it meant that Baruch, as head of the War Industries Board in 1917, could sincerely and enthusiastically enforce a

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kind of socialism, although few should have been more aware of the power of market forces. Grant's Misesian critique of this episode in economic history is a model. Baruch was intermittently enthusiastic about the vision of a command economy for the rest of his life, usually with himself in a prominent role. It probably appealed to his ego as much as to his intellect—and the ego of a speculator must be voracious. After World War II, when Baruch began to complain continually about inflation's gathering momentum, his view of its causes ("greed, profiteering, interest-group politics, unsound money, and disregard of the national interest") was so vague as to cast doubt on how well he understood inflation beyond instinctively knowing it was a Bad Thing. Which was a rare enough perception at the time.

When Baruch died in 1965 at the age of 94, NATIONAL REVIEW described him as a "good citizen" in the Stoic mold, "not passionately committed to party, faction, or cause . . . firm in his belief that lawful government is part of the reasoned order of nature . . . ready to do his part defending it." He was one of the sinews holding society together, rather than the unyielding bone that gives it shape. In Grant's elegant account, the tendency of the business world to produce such men emerges as a major reason why its concerns command so little attention in polite society, and in the politics of the twentieth century. □

ARSENAL FOR BELIEVERS

Joseph Sobran

The Intellectuals Speak Out about God; A Handbook for the Christian Student in a Secular Society, edited by Roy Abraham Varghese (Regnery Gateway, 366 pp., $7.95, paper)

I COULD HAVE used this book when I was a lad. I used to hang around a college bookstore that was amusingly tyrannized by an erudite little fellow who delivered himself of opinions on all subjects with merciless authority. Tiny though he was, he assumed an imposing air of command when, say, an academically desperate football player twice his size would beg him to explain what irony was. (I should mention for the benefit of my younger readers that in those days it was still possible to flunk out of a state university.)

One of his favorite themes, especially when he learned that I had taken to going to church, was that religion was silly and "intellectually dishonest." He made me feel I had a duty to read all the heavyweight atheists and skeptics and refute them myself, or quit going to church. Eventually I quit going to church.

In those days I thought the unbelievers were ten feet tall, whereas now they generally seem like Norman Lear. I lost a lot of sleep over arguments that are reasonable considerations, but ought not to guide one's life.

There is a touch of the young man's awe of "the intellectuals" in the title *The Intellectuals Speak Out about God.* The men represented in this volume's interviews and articles might be more accurately described as "scholars," since they are given to actual disciplines, as opposed to the loose tribal consensus of "the intellectuals," who have corrupted the university.

Nevertheless, the young man who edited this book, Roy Abraham Varghese, has done a real service by assembling the views of mostly Christian *scholars* and showing how their pursuits have led them outside the anti-religious orthodoxy of the herd of independent minds. There are scientists (Robert Jastrow, Henry Margenau, Sir John Eccles, Rupert Sheldrake, Chandra Wickramasinghe), social scientists (Paul Vitz, David Martin), philosophers (Stanley Jaki, William Alston, Alvin Plantinga), and theologians and apologists.

The book is a feast of vigorous arguments from varied angles, many of them surprising. I didn't expect to find the scientific arguments very stimulating, but they are. Wickramasinghe points out that on the basis of random mutation we should expect an overall *degeneration* of species, since "for every favorable mutation there will be hundreds of unfavorable mutations." For every species that improves, therefore, we ought to be able to see hundreds on the skids. And yet we don't. He concludes that "living systems could not have been generated by random progress, within a finite time-scale, in a finite universe."

Sheldrake argues against mechanistic

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evolution by pointing to the creativity of organisms' responses to their physical environment. The environment may triumph over those that lack this mysterious resourcefulness, but that hardly explains the resourcefulness itself. To account for it by positing "mutation" is merely to don an intellectual fig leaf.

According to Father Stanley Jaki, "the emergence of life on earth is, from the purely scientific viewpoint, an outcome of immense improbability." He goes on to speak of "the stunning specificity of the universe. A distribution of infinite matter which would give rise to paths of motion resembling a cylindrical helix is too specific to be taken for that natural and necessary form of existence for which Euclidean infinity could so readily pass. The same is true about a distribution of infinite matter which would permit motion only along the curving slopes of a saddle with no edges, corresponding to an infinite hyperbolic space. About none of these specific situations is it natural to say that they are such forms of existence which one would naturally expect to exist and exist necessarily at the necessary exclusion of all other possibilities."

Chapter after chapter chips away the bricks in the edifice of the old progressive Weltanschauung. The sociologist David Martin notes that his colleagues have been forced to abandon their recent confident assumption that secularization is an inevitable social tendency: The sacred has returned dramatically as a force on earth. Paul Vitz points out that psychology has unsuccessfully attempted at once to debunk and to supplant religion. William Alston observes that logical positivism turned out to be a dead end rather than an explanatory key to all rational inquiry. Alvin Plantinga challenges the assumption that there is anything irrational about ordinary religious faith, if judged by the standards we customarily apply to beliefs absorbed from the society around us.

A chapter on Father Bernard Lonergan offers concise entree to his abstruse thought and sharply differentiates him from liberal theologians. Asked if the divinity of Christ is essential to Christianity, he replies: "Do you think we were saved by a preacher?"

F. F. Bruce and Josh McDowell make impressive cases for the historical accuracy of the Gospels. Whereas liberal higher criticism argues that the rhetorical purposes of the Gospels diminish their value as testimony, Bruce and McDowell turn the point around: The Evangelists felt no need to *prove* the empty tomb even to a hostile audience. The only question was how the tomb came to be vacant. So much for the notion that the Resurrection story wasn't originally meant in a literal sense.

If this book is any indication, the age of materialism may be over. When I read old books I am always impressed by the ready way in which perfectly sane people used to accept spiritual and even divine phenomena as ultimately intelligible on their own terms, even if they were baffling in the immediate experience. Plato and Shakespeare had no impulse to reduce everything to physical nature, which spared them the strains the doctrinaire is subject to. Recent philosophy has also shown a healthy tendency to explore the moral intimations of common sense (as in "ordinary language") without trying to prove that, for example, moral judgments can be traced back to biological appetites. Positivism and psychologism have buckled under the burden of the thesis that human beings have almost never understood their own activities. As pragmatism is impractical, so reductionism is too metaphysical.

Some people are denied the gift of faith; many others return it unopened. Christianity imposes demands, and atheism, as C. S. Lewis remarked, may be a wish-fulfillment fantasy. At the moment the rising enemies of religion can be found within the churches or in politics, not directly denying articles of faith, but "interpreting" them as a result-oriented court interprets the Constitution, so as to get the desired practical result; all the while insisting that they be regarded as orthodox. The wrecking ball is within the walls.

But *The Intellectuals Speak Out about God* effectively beats back the familiar external assaults on many fronts. It leaves the garden-variety Enlightenment intellectual looking like a very quaint model. □

FILM

PRISONERS OF PASSION

John Simon

One of the easier films to make is a fairly good documentary. One of the hardest is a great one, such as, for instance, *The Sorrow and the Pity*. It would be natural to assume that the cinematic documentarian is no different from the good reporter, a not so rare beast in the jungles of print. But whereas, with a little editorial help, good journalism is not that hard to manage, making a filmed documentary is a much tougher undertaking, for the documentary must also be a good film, with all that implies of variety, complexity, visual stimulation, timing (i.e., editing). And it must also, unlike a work of fiction, filmed or written, go beyond telling *a* truth—no one, except a very callow documentarian, would presume to possess *the* truth—and be, or at least try to be, objective. Fiction, in other words, can content itself with making us believe; the documentary must at least strive to make us know.

Improper Conduct is by two Cuban émigrés, Nestor Almendros, the great cinematographer, whose concern with homosexuality is not just academic, and Orlando Jiménez-Leal, whose 1980 New York-based film *El Super* I somehow missed. This is an absorbing documentary about Castro's persecution of homosexuals—and, coincidentally, Jehovah's Witnesses and other "undesirables"—but it remains a minor achievement because of its obvious one-sidedness, its pursuit of an important but still parochial truth where larger issues are at stake. Though Castro's fanatical and weirdly inconsistent war on homosexuals, even unto the creation of what might be called gay-

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lags, is both dreadful and ludicrous, to concentrate on it almost exclusively is to reduce a vast criminal repertoire to one, admittedly fiendish, performance.

But there is more to object to. The Batista government was a cesspool of inequity and iniquity, and, although *Improper Conduct* convinces us that, in slightly different guise, these are continued by Castro, certain undeniable accomplishments and improvements, largely in the early days of the revolution, should not have been wholly ignored. The film would have been richer, more profound and thought-provoking, had Castro's evil been shown in the context of his positive achievements. Then *Improper Conduct* might have become a comment on the paradox of human nature, an unveiling of inhumanity beneath humanitarianism, a rumination as well as a polemic, and regarding, regrettably, all of us. What makes a denunciation art is its ability not to let *any* of us off the hook. A major political statement—and *Improper Conduct* is certainly political, however partial, in both senses of the word, it may be—must transcend the political into the ecumenical.

The filmmakers have interviewed numerous Cuban refugees of all types, from artists and intellectuals to hairdressers and transvestite entertainers, from the learned and philosophical to the unlettered and pathological. It is to the considerable credit of all these interviewees, granted that none of them is a refugee of recent vintage, that no matter how much they were tortured, jailed, made into slave laborers, humiliated, chopped off from the world of liberty and love, they express themselves with humor and irony, with sadness and concern, but never with crude rancor. They all seem to have been purified and strengthened by misfortune—which, I trust, will not be taken as an argument for the usefulness of maltreatment—and are, because of quintessential courage and decency, capable of discussing terrible experiences as being grotesque as well as gruesome, without either self-pity or ideological animus to make their testimony suspect.

Thus, on the one hand, a man who is not at all homosexual, but who was jailed for long years without access to his family, discourses movingly about the sufferings, not of himself, but of a harmless and bewildered boy of 12, imprisoned and destroyed for mysteri-

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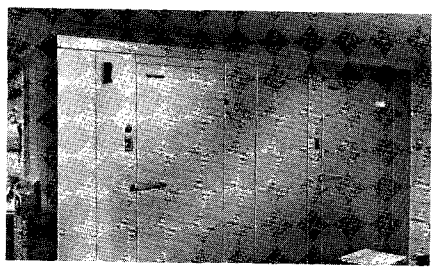

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ous reasons known only to the dictatorship. On the other hand, a flagrant transvestite tells of how, no matter how much they were beaten for it by the prison guards, he and his likes would cut up bedsheets into drag outfits, and so maintain with indomitable audacity their allegedly flabby, feminine ways.

The film incorporates a good deal of official Cuban footage, especially a long interview in which Castro discourses on the perfect freedom and justice of his state, which would have seemed specious even out of context, but which here becomes a masterpiece of the preposterous and demonstrates the almost physical, aesthetic ugliness of mendacity even beyond its moral canker. The maneuverings of that disingenuous face to appear genial, of that cigar wielded like a despotic scepter to pass for a combination peace pipe and aspersorium, are the height of the ridiculous as well as the bottom of the hellish.

But the film tries to go beyond reportage and commentary into the realms of the philosophical, into what makes totalitarianism so fanatically ferocious about sexual deviation. The poet Heberto Padilla, the novelist G. Cabrera Infante, and the peripatetic critic Susan Sontag, among others, make cogent pronouncements, although, expectably, none quite reaches the heart of heartlessness. But emerging loudly and persuasively are such facts about human hypocrisy as the acceptance of homosexuals even in high government positions as long as they are of the athletic, macho variety; the continued endorsement of heterosexual prostitution as long as it caters to foreign dignitaries or much-needed technicians; and the laughably pitiful attempts at re-educating homosexuals into heterosexuals by crudely Pavlovian methods, rather like those encapsulated by Anthony Burgess in *A Clockwork Orange*. And in the film's last interview, in which a not celebrated but sensitive refugee, sitting in a botanically lavish Miami setting, suddenly comes up against the possibility of the victimizer lurking within the victim, of universal culpability, *Improper Conduct* strikes a note of more vibrantly troubling resonance. That it takes the shape of an unfinished sentence engulfed by tremulous silence makes it all the more haunting.

One final, amusing note. All the speakers in the film, obscure or renowned, are identified by a superscription. Only two are considered too famous for identification: Fidel Castro and Susan Sontag.

Two undistinguished films are nevertheless worthy of brief consideration. *Another Time, Another Place*, directed by Michael Radford from a novel by Jessie Kesson, concerns the billeting of three Italian prisoners in World War II as farm workers with a dour Scottish farmer and his immeasurably more sensitive, frustrated young wife. The film could have been both conventionally sentimental and conventionally lurid, and though it borders on both, it manages in the main to steer clear of each. The farmer may be a bit excessively crass and unappealing (in part because of Paul Young's extreme ugliness), but Janie, the wife, at least is not idealized into a great beauty, and of the three reasonably well-drawn prisoners, the one she falls for is not the obviously cute Paolo or the politely scholarly Umberto, but the totally average and unglamorous—yet meridionally so—Luigi. Moreover, the differences between the two cultures that nonetheless manage to find some points of contact are sympathetically and not overemphatically drawn, and the sense of acrid, exiguous survival in two hostile environments—the bleak heath and grinding captivity—is conveyed in mostly unmelodramatic, mundane but telling details.

Where weakness eventually asserts itself is in a certain overfamiliarity and inconsequentiality of the material; in the difficulty of making tightly circumscribed, banally inarticulate existences gripping; and in not finding the revelatory underneath the repression by turning the camera, an incorrigible skimmer of surfaces, into a burrower. Even where Radford's observation is fresh, it tends to lack the ultimate penetrancy; but there is the Janie of Phyllis Logan. A *jolie laide* if ever there was one, Miss Logan combines British self-control with the greater intensity of the Scots. There is in her expressions, sounds, and movements a slowly but powerfully affecting mixture of yearning and resignation, of susceptibility that, once enkindled, refuses to abdicate. She is like the very weather of Scotland, where sunshine is a bit of a miracle, not so much for its rarity as for its seeming incongruity. Whether Miss Logan smiles with cloud-bursting radiance or rebels with unself-conscious gallantry, she performs with a heartbreakingly understated eloquence that makes *Another Time, Another Place*—a nice little film—into something far better than it is.

One Deadly Summer was scripted by the hack thriller-writer Sébastien Japrisot and is about as loaded with heavy-handed ironies and as unbelievable as a B-film can be. But Jean Becker (son of the worthy Jacques) is an honest minor director who gets remarkable performances and has a sovereign sense of atmosphere. He can make a terrifying gang rape or a quiet conversation on a roadside at sunset ring equally true, and he uses the less obvious aspects of the south of France to good, racy advantage. He gets masterly performances from such old hands as Suzanne Flon and Michel Galabru, as well as from such relative novices as Maria Machado (mostly a stage actress), Alain Suchon (chiefly a singer), and the prodigally gifted but erratic young François Clouzet. And he makes Isabelle Adjani, a very beautiful and not untalented actress, look more gifted and seductive than ever—an icon even an atheist could worship. □

SOUND ON DISC

FROM GOTHIC TO BAROQUE

Ralph de Toledano

In time, I suppose, we will see the true marriage of our contemporaneity when MIT joins Juilliard, and one of their computer-trained students gives us a *Software Sonata for Electronic Instruments*. This will come as no surprise to those who have for many decades watched the divorce of music from the cadences of the human spirit and its increasingly solitary development into a mathematical exercise. But that sad and sterile course has had one great and rewarding result. It has turned recent generations of musicians and musicologists back to the so-called "early" music—to Gothic, Renaissance, and Baroque, eras of unparalleled innovation and creativity.

It has not been easy for the students of early music to find their way in

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what less than a century ago was *terra incognita*. Early music does not respond to modern instruments, whose sharper and brasher sound is designed for the large concert hall. Performers of the old music have had to search the museums for the instruments of the Gothic-to-Baroque period—and then learn to play them. They have had to study the writings of those who composed the music, and of those who commented on it, to rediscover the intent and structure of the old scores, to redefine notation, to arrive at proper pitch, vibrato, and intonation. Problems still remain—but by prodigious research, trial and error, and intuition, a very considerable approximation of what the early music sounded like has emerged. The *terra incognita* has to a large extent been mapped.

Today, early-music groups and ensembles are springing up everywhere, part of a large and growing movement. And some of the recording companies have responded by opening their catalogues to works that for many of us were little more than passages in the histories of music. AudioSource imports some of the best of these, in French recordings of impeccable fidelity; Angel has been drawing on a fine British catalogue; and others are following suit.

Take, for example, the *Cantigas de la Santa Maria*, a collection of songs attributed to Alfonso *el sabio*, which lifted the courtly-love ballad to a rich celebration of Our Lady Mary. We now have these thirteenth-century didactic or para-liturgical songs in a superlative and moving recording by Esther Lamandier (Astrée AS 59, distributed by AudioSource, 1185 Chess Drive, Foster City, Calif. 94404). Melodically, these *Cantigas* of the Marian revival combine the Berberine, the Hispano-Judaic, and a lighter *trouvère* strain. They are set against instrumental preludes, faithful to their time, devised by Mme. Lamandier, in which harp, hurdy-gurdy *vihuela*, and portable organ are as evocative as the special Iberian timbre in which she voices them.

Move ahead a century or so to Guillaume de Machaut, the greatest composer of his time. He was a bridge between the late Gothic and the *ars nova*, between the music of the Church and the music of the Court. Much of Machaut's work has been lost, but of what remains his *Messe Nostre-Dame* is the masterpiece. Based solidly on a traditional *cantus firmus*, this Ordinary of the Mass is both majestic and ethereal, its polyphony complex, its dissonances and resolutions powerful, its syncopations impelling, its melodic lines pure and soaring. In preparing the score and directing the performance by the Tavenner Consort and Choir (EMI-Angel S-38044), Andrew Parrott brought it to correct pitch—today's A is struck at 440 cycles per minute, but in Machaut's time it was roughly a fourth lower—restored the Medieval pronunciation of the Latin text, and produced not a concert-hall piece but the liturgy as it might well have been sung in the great Rheims cathedral, of which Machaut was a canon.

The composers of the pre-Bach era were, in the most acute sense of the word, romantics. By this I mean that, within the strictures of their time, they wrote highly personal music—deeply imbued with their own mortal preoccupations. You have only to listen to what compositions we have of John Dowland to accept this. Dowland, an Elizabethan and post-Elizabethan, was the greatest lutanist of his time—and with Purcell one of the brilliant lights of that effulgent burst in British musical creativeness that was inexplicably extinguished less than a hundred years later. He wrote his dances and songs in a synthesis of Gothic contrapuntalism and the rising monodic mode. His harmonies and melodies were subtle, expressive, moody, and full of a pervasive melancholy even at their most satiric. Now his genius is available to us in *Musicke for the Lute*, played on a copy of a 1592 instrument, tuned as Dowland demanded, and beautifully recorded by Paul O'Dette (AudioSource/Astrée AS 90).

And so we come to François Couperin, whose *œuvre* represents the highest stage of the pre-Bach Baroque. For years, I have played his *First Tenebrae Service for the Wednesday of Holy Week*, which he wrote to rekindle the sun of a troubled and languishing Louis XIV. These settings of the Lamentations of Jeremiah rank with the very best of liturgical composition. But there is much else of his *œuvre*—both religious and secular—that has survived. Couperin was a stylistic purist with the French passion for clarity, yet a composer of unique and personal voice. A recording of his *Les Nations*, written over a thirty-year span, will tell you why he is so great. For it is a summation of a Europe and a culture that was—before the maggots set in—of a style, pensive or joyous, in which music could dance or contemplate its mortality. Its traversal by a nine-musician ensemble directed by Jordi Savall (AudioSource/Astrée/Radio France AS 991) incisively captures the spirit and the sense of Couperin. The musicians are right, the instruments are right, and the recorded quality leaves little to be desired.

These recordings and others of the period, to which I will return, are a tribute to those who devoted their lives to recapturing early music. In the centuries that followed, the boundaries of musical art grew wider, the scope bolder and more ambitious. But can we truly hold that orchestras of a thousand had more to say of God and man, of victory and defeat, and of the yearning for that perfection which all art seeks? I think not. □

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DELECTATIONS

ORIENT EXPRESS

Nika Hazelton

THIS IS a cautionary tale about how an experienced hostess, feeling adventurous and going against her own oft-published warnings, stubbed her toe in the soup, so to speak, trying to serve an exotic meal. The hostess is myself, or I would not be so bold as to write this sad story of how I tried to be different—in this case, Indonesian. The moral is: Don't do it unless you know the food and have plenty of help, which I did not and had not.

It all began when I discovered that a genuine Indonesian cook, who caters for the Indonesian diplomats in New York, was willing to do a dinner for me. I chose a *rijstafel*, that ceremonial dinner the Dutch favored when they were still in the East Indies, as Indonesia was then called. The *rijstafel* (rice table) consists of a large dish of rice surrounded by fish, meat, and mild and hot side dishes; the dinner I ordered included, in addition to the rice and five kinds of *rijstafel* dishes, an appetizer, soup, and dessert. I had heard tales about how, for a true *rijstafel*, each side dish is brought in by a different waiter—the more the merrier, and the greater the splendor of it all. Well, I don't have any waiters, but I thought I could manage somehow. "Somehow" is the operative word, because "somehow" in this case, as in so many other cases, did not work. I should also have remembered that when you walk on crutches, as I do, you do not plan dinners requiring a schedule of plate changes that would exhaust an ambulatory hostess in the pink of Olympic conditioning.

The dinner arrived, neatly packed, still hot in its foil containers, and beautifully labeled. The bringer of this bounty, an Indonesian gentleman, kindly drew me a diagram of how it

THE RIGHT BOOKS / CHILTON WILLIAMSON JR.

AS THE United Nations prepares to enter its fifth decade one thing at least is obvious: Life does not begin at forty. *A World without a UN: What Would Happen if the United Nations Shut Down* (The Heritage Foundation, 214 Massachusetts Avenue, N.E., Washington, D.C. 20002; $8), edited by Burton Yale Pines and with a Foreword by Ambassador Charles M. Lichenstein, would make the worst disaster movie ever—something on the order of that Warhol film in which the camera remains trained for several hours on the Empire State Building. Quite literally NOTHING WOULD HAPPEN. And yet, if the opinion polls are correct, fully 90 per cent of the American people would pay—or rather *not* pay—to see it. In 1959 a Gallup poll found 87 per cent of the U.S. citizenry convinced that the United Nations was doing a good job; by 1980 that figure had fallen to 30 per cent. One year later, a Roper poll reported that a mere 10 per cent considered the UN to be "highly effective" in fulfilling its mandate of 1945, since which year the United States has spent $14 billion on the Great Effrontery at Turtle Bay.

In Burton Pines's opinion, the United Nations, at forty, can no longer plead growing-pains:

> If its influence is of no consequence or, indeed, negative, then the world may be better off without a UN. At one time, to pose the matter in such a manner would have meant triggering a debate between competing theories of world order. Those who had faith in a UN would have been countered by those who lacked such faith. Today, however, . . . the United Nations . . . no longer is simply a well-intentioned glimmer in an idealist's eye or an embryonic body whose missteps and failures understandably should be overlooked. . . . A discussion of the UN and of whether the world would be better without it . . . now moves beyond theories and good intentions to a record comprised of facts and data, successes and failures.

It has been obvious for years that the UN has been either derelict or useless in its broader functions: the keeping of peace, arms control, and the furtherance of democratic government and human rights. Since the early Sixties the United Nations has assumed an increasingly hostile demeanor toward representative government and particularly free enterprise, and it is currently bemused by something called the New International Economic Order, tub-thumping on behalf of which threatens to become the principal, hidden agenda of all its bureaus and agencies; though unfortunately the NIEO has not yet created sufficiently favorable balance sheets in the Boreoboolagas of the world to enable them to contribute more than a minuscule fraction of their share of the cost of maintaining this Rube Goldberg contraption.

In the volume at hand, however, the contributors are able to demonstrate that even in its more specialized and less abstract functions the United Nations must finally be regarded as a bust; its activities not merely are not worth the vast sums they entail, but could—and would, if the organization ceased to exist—be carried on more effectively by other multilateral arrangements. According to the nine experts who contributed to this study for the Heritage Foundation, the UN's record in the areas of disarmament, economic development, peacekeeping, environmental protection, health, food and agriculture, education, human rights, and the easing of international tension is mostly pitiable.

Even in the few instances in which some achievement has been recorded, further progress is currently being hampered by a thickening miasma of ideology, all of it counterproductive. Thus the Food and Agricultural Organization has become bogged down in the murk of the NIEO, which harbors an apparently insuperable bias against private-sector farming. Thus, also, the World Health Organization, which enjoyed spectacular earlier successes in combatting malaria and other diseases, is now on the warpath against Western pharmaceutical firms, which it accuses of engaging in "drug colonialism," whatever that is.

Who, then, needs the UN? Nobody, Pines suggests. "[Multilateralism] could function as well as it does now without the UN's costly Secretariat, . . . its high salaries and lavish perquisites, and its anti-Western ideology." What America and the West should do is to present the organization with a list of necessary reforms—the rejection of which should be considered valid grounds for pulling out entirely. □

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should be served (mild dishes before hot, etc.). Since my guests like to have a drink before dinner, I decided it would be best to heat the whole shebang in the oven before we sat down to eat, which seemed practicable because it was packed in oven-ready containers. Already, however, the penny, as if in slow motion, had started to drop. I decided to serve the rice side dishes simply from their foil containers, a most horrible thing to do at a dinner party and something I ordinarily would not do even in the privacy of the family table. Obviously I had already given up on the whole affair, my despair deepened by the fact that my kitchen helper—a splendid washer, ironer, and house-cleaner, a woman of sterling character and great loyalty—did not prove to be so admirable in the serving of food.

At this stage, two of my lady guests took pity on me, or I would have said to hell with it all, and let's go out to a restaurant, or eat scrambled eggs. First, they transferred *everything* to the proper serving ware. Then they served the meal according to the diagram I had been given. My kitchen helper changed plates in a manner that made me avert my eyes, upbraiding myself for not having made sure she knew how I wanted to have the job done.

I am not an adequate judge of the food. Indonesian cooking is different from Chinese, spiced more interestingly (I do not know how or with what, but I propose to find out from an Indonesian cookbook). The fish, chicken, and plantains (part of the dessert) were cut in the Chinese style, but in much larger pieces. My guests (I never dared to inquire if they were being polite or telling the truth) claimed to like it, though I am sure they appreciated the contrast between Indonesian and Chinese cooking, which reminded me of that between Spanish and Italian. I also have no way of knowing if the cook adapted her recipes to the milder American taste, though I am inclined to doubt it, since she does not know English and caters almost exclusively to Indonesians. But I wonder whether rich Indonesians eat food that is not easily handled, or if there are refined versions of the standard dishes that I ordered.

I am convinced, in any case, that East and West shall never meet across the dinner table unless the hostess knows how to manage the confrontation. Even I, who have been hardened by life to culinary disasters and dinner-table horrors, felt sorry for my guests. Guests should not have to work for their supper, and it is one of a hostess's first obligations to ensure that they do not. It all goes to show that pride comes to grief, and that one should use what are (laughingly) called one's brains before laying out a dinner menu. As Hilaire Belloc wrote in his immortal "Cautionary Tale" about Henry King—who chewed "little bits of string and was early cut off in Dreadful Agonies"—"Breakfast, dinner, lunch, and tea / Are all the human frame requires."

Provided, of course, that there is also plenty to drink; and there always is, at my house. □

THE GIMLET EYE

PLAYING DETECTIVE

D. Keith Mano

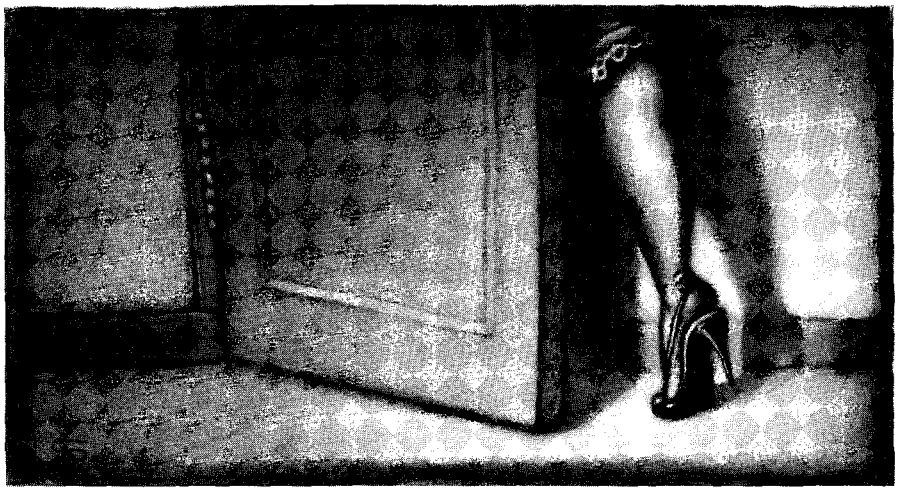
TIME: 1310. PLACE: 96TH STREET IND SUBWAY STATION. MY RANDOM SUBJECT IS MALE, CAUCASIAN, DARK HAIR, MEDIUM BUILD. BLUE NIKES, BLACK T-SHIRT, OVER-THE-SHOULDER BAG. RIGHT AWAY I'M FEELING LOW AND SHIFTY. DAMN, HE JUST GLANCED BACK AT ME. CAN'T SUSPECT YET. LUCKY MY INCOMPLETE WARDROBE COMES FROM NONDESCRIPT CO. NO ONE HAS PLAINER CLOTHES. FIGURE HIM FOR A STUDENT. LET MR. BLACK SHIRT NOTICE ME ON HIS TAIL AND COMPLAIN, I'LL REDUCE THE POOR SAP TO MORAL BACON BITS.

TIME: 1315. MADE THE AA LOCAL. CAN SURVEILLE (NOW A VERB) B.S. IN NEXT CAR. THIS IS GUT COURSE EASY. SUBJECT IS PICKING NOSE. I AVERT EYES. HOW VULNERABLE THE INNOCENT WATCHED SEEM. AHA! OUT AT 59TH STREET, WILL CHANGE TO D TRAIN PROBABLY. B.S. CHECKING OUT MAGAZINES AT NEWSSTAND. THE CONTINENTAL OP IS ALL FIVE SENSES AND A WILL OF THREE-INCH NICKEL STEEL. MY NEXT CAREER? GEE, TOO BAD I LOOK LIKE SO MUCH LAUNDRY WITH A TRENCH COAT ON.

GONE! OH, ASH MONDAY, WHAT MORTIFICATION. NO TRAIN CAME IN AND STILL B.S. VANISHED LIKE ROAST BEEF AT A CHEAP BUFFET. IMAGINE IF HE'D BEEN TRYING TO LOSE ME. GLOOM AND SHARP EMBARRASSMENT. I'M READY FOR THE HOUSE OF SPECIAL PURPOSE.

Les Reider is a super dick. He teaches this course, could be called Gumshoe 101. Ex-narc-cop Reider has his own seventy-shamus detective agency: he could put a tail on your entire acquaintance. "Any good private investigator should be curious, patient, determined, imaginative. He should also have a strong bladder. What're you gonna do on an eight-hour stake-out, carry an empty Coke bottle? And, above all, he should be observant." This I'm not: last week the wife sent our sofa out for reupholstery. I noticed after falling flat on my chine end next to a floor lamp. Reider will hand me the standard phone dial—blanked out. I'm told to write in correct number and letters beside each hole. (OK, you're such a stud finder, I give permission to stop reading this column while you try it.) Me, I had a complete cerebral bypass after O for Operator.

TIME: 1331. PICK UP NCAA. LOOKS ALMOST LIKE B.S. WHAT DO THEY WANT,



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PERFECTION? MALE CAUCASIAN, MEDIUM BUILD, DARK HAIR, BLUE NIKES, BLACK NCAA T-SHIRT. HEADING SOUTH ON D TRAIN. OFF AT WEST 4TH STREET. NOW FOR SOME STEALTH. HERE GOES THE SILVER SHADOW. . . . AAARGH. I WOULD CHOOSE A JOGGER. EIGHT BLOCKS OF FENDER DODGING AND EXQUISITE CHEST HAMMER. NCAA JUST ENTERED NYU REC CENTER. TIME FOR CURIOSITY, PATIENCE, DETERMINATION, AND BLADDER.

Who will employ the most private investigators: CIA, FBI, KGB? Try again, try American industry. Worker theft costs business, deep inhale, more than $60 billion per year. That loss, exhale, will necessitate a 3 (often 5) per cent rise in retail pricing. Thirty per cent of firms fail owing to internal hemorrhage. One worker in three is your silent partner: and 60 per cent of those steal (time or goods) on a regular basis. I'm fortunate: the product we make at our cement plant is so unattractive that one foreman told my mother, as if expressing his personal job grievance, "This damn stuff has made an honest man of me." Reider infiltrates the work force. That stock clerk over there may be taking stock in you.

TIME: 1431. REC CENTER DOOR HAS OPENED 1,034 TIMES. NO NCAA. DID YOU EVER NOTICE HOW ALL COLLEGE STUDENTS LOOK ALIKE? I USED THE OLD STOREFRONT WINDOW REFLECTION TRICK. BUT BLUES APPEAR BLACK. REDS, MAROON. AND STORE OWNER TRIED SELLING ME A WATERPROOF RADIO I COULD HANG ON MY SHOWER NOZZLE.

Divorce surveillance—the pursuit of someone else's happiness—is quite profitable. Nothing Mrs. can do if Mr. should sick a bird dog on her from incinerator to mail chute to frozen-food section and back. That's legal for any licensed PI. Of course the beagle can't break a motel door down and yell, "Hold that pose." Still, all Hawkshaw has to do is prove "inclination and opportunity." A public show of tenderness, hand-holding, say, might cost you alimony until Kohoutek comes again. The photograph may be used: in a ritzy case, even videotape. (Reider's divorce clientele is 50 per cent male, 50 per cent female.) "The oldest profession. Heck, what was God doing in Eden? He was interrogating Adam about the apple."

1631. USING OLD HOLE-IN-THE-NEWSPAPER TRICK. THIRD HOUR. NCAA HAS HAD TIME TO COMPETE IN A DECATHLON AND RECOVER FROM THE AGGRAVATED BENDS BY NOW.

Human hunting licenses are supervised by the New York Department of State. You can take your skip-tracer exam after a three-year apprenticeship with some legit agency. The buck starts there. With a good tracking record, Kiss Me Deadly can haul in from $25 to $100 per hour. It troubles: so many of our most alert, most intelligent men and women are wasted eye-zapping other people. Has to cut down on national productivity, this strange double solitaire. That's the real price of crime in America.

1700. SO THIRSTY I COULD DRINK VISINE AND TONIC. WAIT ONE MINUTE, SUPPOSE HE HAS A CHANGE OF CLOTHES IN THERE? HELL, SUPPOSE HE HAD HIS CHANGE OF LIFE IN THERE?

It's a ready-room existence: tedious-tense. With few distinguishing marks. Not dangerous except to the home and all natural affection. Detective divorce rates are high. People, after all, don't fish in dark water from 9 to 5. And while you've put a tail on some philanderer at 4 A.M., she is applying sunset laws to your marriage. One red light can cool a spoor. No subway token and Charlie Nightwork has escaped through the turnstile. That eight-hour January stake-out can leave you like mastodon meat in permafrost. Moreover, children shouldn't know What Daddy Does. You hang a blank, suspicious shingle out in the neighborhood. And patience: every PI has a fixed mental income. I'd rather watch haircuts or wheelchair cricket.

1730. THERE HE IS. HA, GOT HIM. HE'S RIGHT OUTSIDE THE REC CENTER. ETERNAL VIGILANCE. AND NOW HE'S—HE'S, HE'S GOING IN. IN. IN? HE JUST OPENED THE DOOR. WITH AN EMPTY COKE BOTTLE IN HIS HAND. □

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BOOKS IN BRIEF

Jerry Falwell and the Jews, by Merrill Simon (Jonathan David, 172 pp., $12.95)

EVER SINCE Jerry Falwell was mistakenly debited with the quotation, "God does not hear the prayers of a Jew" (which in fact was uttered by the evangelist Bailey Smith), he has found himself with a "Jewish problem." This is ironic, because Falwell is probably the most unequivocal, fire-breathing supporter Israel will ever find, a perception that has come to Merrill Simon, editor of *Israel Today*. Simon, in this book, tries to build bridges between Falwell and Jewish leaders who, he fears, have false negative stereotypes of Falwell. Those who accuse Falwell of anti-Semitism usually point to his theological dogmatism —his conviction that only those who accept Christ can be "saved." Paradoxically, it is that same Biblical literalism which accounts for Falwell's uncritical support for Israel: He believes that God's promises to Israel will soon be literally fulfilled, while most scholars hold them to have been *spiritually* fulfilled. Israel remains the promised land for Falwell, and Jews the chosen people, so that "he who stands against Israel will be punished by God, and he who stands with her will be rewarded," as Falwell puts it. Simon, who smells anti-Semitism brewing on the Left, looks wisely around for allies to stand up for Jerusalem; in Falwell, he has found one who will not count the political cost. DINESH D'SOUZA

Selected Letters of Edmund Burke, edited by Harvey C. Mansfield Jr. (University of Chicago, 497 pp., $27.50)

IN 1881, when Matthew Arnold edited a collection of Burke's writings on Irish affairs, he included a score of Burke's letters. And with good reason, for the letter form gave Burke the op-

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portunity to exhibit a major source of his brilliance, the application of personal honor to public affairs. When Burke wrote a letter on political matters, he never forgot that the recipient was an "audience" to be persuaded. He perfected his sense of the many audiences to whom he could direct a single letter—the recipient, Burke's friends and enemies, "Europe"—in the *Reflections on the Revolution in France*, the *Letter to a Noble Lord*, and other late writings. For this volume Harvey Mansfield has made an inspired selection from the scholarly ten-volume *Correspondence* of Burke. His arrangement of letters by subject (Party, Reform and Revolution, India, etc.) rather than chronology is quite useful, although his introduction to Burke's theory of political practice, while contributing to scholarship, is unlikely to help the common reader: It virtually ignores the letters, and I find it misleading on Burke's view of "prejudice," the British Constitution, and the place of theory. For the record, Burke's letters are well worth reading for their political content. For example, they establish more clearly than elsewhere Burke's belief in liberty as a natural right (p. 256) and his qualifications to the endorsement of "prejudice" (p. 402). But this is probably the third volume of Burke to read, after one of the more general anthologies and his greatest letter of all, the *Reflections*.

DAN RITCHIE

ERLER

(Continued from page 31)

ited self-interested purposes; as private-interest groups they remain largely unaffected by the fact that they have become a part of the majority. In the structure of the regime, the Founders expected the struggle between interests to replace the struggle between classes. And, by and large, that solution has worked remarkably well. There have been no permanent majorities, and certainly none based exclusively on race.

Yet the Court has come to view the great civil-rights acts of American history as essentially remedies fashioned by a permanent, monolithic majority for discrete and insular minorities. Such remedies, of course, necessarily work against individual members of the majority. But the Court is mistaken: The guarantee of justice does not rest on a test of who is disadvantaged and whether the disadvantage amounts to "stigma," but on whether individual rights are protected and the common good is served.

The most obvious cases in point are the Civil Rights Act of 1964 and the Voting Rights Act of 1965. In the election of 1960, the solid vote of urban blacks for John Kennedy accounted for his narrow margin of victory over Richard Nixon. Since the same urban vote had gone for Dwight Eisenhower in 1956, the evident political strategy for the Democrats in the 1960s was to consolidate this vote in the Democratic camp. The Civil Rights Act and the Voting Rights Act, whatever altruism they may have displayed as remedies for "historic discrimination," were in large part an attempt to keep the urban black vote solidly Democratic. They were thus not laws intended to protect those who were "isolated from the majoritarian political process," but a recognition that blacks had become a significant and crucial part of the governing majority. This is an example of Madisonian politics at its best: It can be to the interest of the majority to protect and extend the interests of the minority.

Probably no finer examples of legislation serving the common good can be found than the Civil Rights Act and the Voting Rights Act. But treating these acts as class remedies for class injuries undermines the ground of the common good upon which they rest. Understanding American politics exclusively in terms of "monolithic" majorities and "discrete and insular minorities" precludes the possibility of ever creating a common interest or common ground that transcends racial-class considerations.

If the Court continues to press the constitutional legitimacy of racial-class claims, it is possible that the Court will itself bring into existence the monolithic majority that it mistakenly insists has always been the dominant feature of American life. It will be of no avail for the Court to remind the majority that its claim of racial-class interests carries the imprint of stigma and is therefore disallowed. Such constitutional niceties will carry little weight once the idea of racial-class interests has become legitimate. Progress in race relations in this century has resulted from an assiduous adherence to the principle that the Constitution is color-blind. Now, at almost the 11th hour, when support for racial discrimination has been virtually eliminated from the legal system, we are told that the principle of a color-blind Constitution is inadequate to achieve the desired results. The full implementation of equality now requires, we are told, a Constitution that comprehends "race consciousness." It should go without saying, however, that once the idea of racial consciousness is allowed to animate the law, there will be no guarantee that it will be used for constructive purposes. If racism is as endemic to the American system as the supporters of a race-conscious law claim, one would think they would be reluctant to bring the issue of race once again to the forefront of the nation's consciousness.

By turning the Fourteenth Amendment into an instrument of class politics, the Court runs a considerable risk. It may encourage the formation of a majority faction, as the majority inevitably becomes more aware of its class status as a majority—indeed as a racial-class majority. Alternatively, it may transform our regime into one no longer based on majority rule. Either possibility should give pause to the Court, and if not to the Court, then all the more to the rest of us. □

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KEEP YOUR EYES ON MARIO

NEW YORK, AUG. 1

MR. CUOMO has accused President Reagan of "pandering" to the Catholic vote, and the occasion is ripe to touch on the meaning of the word.

Webster's Third gives three definitions, the first two having to do with prostitutes and the role of the panderer. These are irrelevant to a political discussion save when the intention is to suggest that a candidate is offering his services (the endorsement of a political plank, let us say) in pursuit of an unprincipled purpose (for instance, subsidies) in exchange for money (votes). The operative word here is "unprincipled." A moral whore is not only an oxymoron, it is a contradiction.

The third definition of a panderer is one who "caters to, and often exploits the weaknesses of, others." This last definition isn't one that a politician like Mario Cuomo would rush to emphasize, inasmuch as it would find him required to elaborate on just what are these weaknesses of American Catholics to which Ronald Reagan is pandering. Mario Cuomo would change the subject.

Concerning the first two definitions, a reminiscence.

Sometime after he (in effect) announced his candidacy for President in 1952, Adlai Stevenson telephoned his former wife and told her to prepare "the boys" to be picked up on Sunday at 10:45. "Why?" Mrs. Stevenson asked. "I am taking them to church," said Adlai. "That was when I knew he was going to run," Mrs. Stevenson told a friend later. And sure enough, the photographers were there to record the hebdomadal piety of Adlai Stevenson.

Could we then say that Adlai Stevenson was "pandering" to the churchgoing community? No, not really. One might accuse him of hypocrisy—but even then, we would need to do this with caution. Men of standing are expected to do certain things whatever their internal inclination. For all we know, Ronald Reagan might, a polygraph strapped to his arm, admit that he loathed baseball and choked at the very thought of spaghetti. The old saw of La Rochefoucauld was that hypocrisy is the tribute that vice pays to virtue. To like baseball is considered, in America, not merely a workaday preference, like for instance an innocent preference for chocolate sundaes or catamites, but a virtue, very possibly ennobling. It is not a part of any political candidate's moral mandate to shake that confidence. And if indeed Adlai Stevenson was an agnostic or an atheist, he did not feel that it was his mission to go out and preach iconoclasm to the American people.

So what, then, is Mario Cuomo talking about?

The event to which he referred was a spaghetti dinner given under Catholic auspices in New Jersey and a speech in which Mr. Reagan reiterated his conviction that family life and religion are fundamental American institutions.

The question before the house is: How is this to pander? We have disposed of the problem of eating spaghetti—it is simply good manners to pretend to enjoy what you are served, though an exception might here be made of gefilte fish, the consumption of which, reasonable epicureans might conclude, is not worth going through to gain admission to the White House. What was it that Mr. Reagan did that "pandered" to Catholics? President Reagan opposes abortion, as do many non-Catholics; as do 49 per cent of registered Democrats. Is it to pander to Catholics to express beliefs that harmonize with their own? Is it to pander to Jews to profess one's belief in the right of Israel to exist? Was Mario Cuomo anywhere around in his own state during the Democratic presidential primary campaign? Murray Kempton, the brilliantly amusing columnist, remarked on television that the Democratic presidential candidates had jumped on Jesse Jackson for saying that New York was Hymietown, and then proceeded during the campaign to prove, by their explicit solicitation of Jewish support, that they thought Jackson was right. An amusing formulation, and indeed Gary Hart went further in his public pledges to the territorial integrity of Israel during the campaign than he'd have been willing to go on behalf of Iowa.

But there was nothing heard from Mario Cuomo in protest.

Governor Cuomo is beginning to grate. This happens when men affect to speak from high moral ground (George McGovern comes to mind) and are regularly subversive of principles by which they profess to abide. Keep your eyes on Mario. Or am I pandering to the patriotic vote? □

CONTINENTAL IS HAPPY, AND WE'RE SO GLAD

NEW YORK, AUG. 6

IN NEW YORK, as presumably elsewhere, the Continental Illinois National Bank took out a full-page ad on Friday, Deliverance Day. If Leon Trotsky had written it, it could not more effectively have undermined respect for American capitalism.

Starting with the headline "At last, a rumor we can confirm," it stayed right in that jaunty mood. Its lead sentence read: "These past few months you've probably heard more about Continental than you'd care to know."

That is what I call leading with your chin. The average American is as interested in Continental Illinois as he is in the annual rainfall in Tierra del Fuego, which for all we know is one of the principal investments of Continental.

Next: "Now, we're happy to report, we have a plan designed to solve our problems in the best interest of everyone concerned." There are several problems with that sentence. The first is that it wasn't Continental's plan, it was a plan of the comptroller of the currency, the Federal Deposit Insurance Corporation, and the Federal Reserve

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Board. A plan certainly designed to make the shareholders and bondholders of Continental "happy." Making them happy was not a plan incorporated in the Declaration of Independence or in the Constitution. Most banks can be made "happy" if you underwrite $4.5 billion of their bad debt. The "plan" was the government's, and it was designed to avoid the chaos that would have resulted from requiring Continental to face the market discipline of its foolish practices.

"The key provision of the plan is that Continental will continue to operate as a vital financial institution, free of the bulk of the problem loans which had become a burden on our financial and human resources." A burden on their human resources. Sure. Any burden on one's financial resources can become a burden on one's human resources. It is also a burden on one's human resources when one goes to jail. The moral question that some Americans are considering is: Why did Continental's burden become our burden?

Now, there are a lot of plausible answers to this, primarily that the entire banking system would suffer a grievous shock if Continental went down. That, most Americans can understand. If emergency action is needed to prevent a lot of banks from sliding over Niagara Falls, then take that action. But there is no moral reason to shield the $800-million equity of Continental shareholders by using public money. Public money is here defined as money printed by the Federal Reserve Board.

On May 18, the Fed made an error of grave psychological consequence. It was then that the regulators announced that all depositors of Continental would be protected, never mind the $100,000 ceiling set by the Federal Deposit Insurance Corporation. Protection for individual depositors by the FDIC is an accepted convention of the New Deal, designed to protect depositors against collapsing banks. To enlarge that guarantee in order to protect general creditors is primarily a political act, i.e., an act designed to weigh alternatives and to select the one that gives least pain to most people.

The trouble with political solutions, however, is that the individual American taxpayer becomes, increasingly, a general creditor—left with highly illiquid returns. The federal pool that salvaged Continental via the FDIC is out $1 billion. It has access to equity that may or may not, in the years to come, return some of its investment.

But whether it does (as in the case of Chrysler, where the government ended by profiting from its bailout) or it doesn't, the psychological precedent is set according to which any substantial group of investors in any enterprise can cite Continental—as, before it, Chrysler; as, before it, Lockheed—to make a social point. "Bail us out, because the alternatives are too painful." As Continental puts it, you would need only to proclaim that your business had "become a burden on our financial and human resources." And the Feds will come running to help.

Congress had better grope its way out of the crystallizing paradox. On the one hand we favor deregulation of the banking industry as economically healthy for America. On the other hand, we appear to be weaving a security blanket that argues that competition is ultimately meaningless because, when all is said and done, government is there to protect against risk.

You will hear the name of Continental on the lips of every special-interest advocate of cradle-to-grave protection for American businesses; except that graves, by the dictates of the New New Deal, will be abolished. □

GIVE UP ON POLAND?

NEW YORK, AUG. 10

It is expected that, in the next few days, the President will rule on the readmission of Poland into the world of the International Monetary Fund. Already it is forecast that Poland will re-enter the world of America's Most Favored Nations. MFN treatment by the United States means that no import taxes will be levied at a rate higher than is levied against the lowest-taxed country: the most favored nation. Enter on the scene (my scene) an American with close relatives in Poland, one of whom has just emigrated, who maintains intimate ties with Poles in America and abroad. The exchange is best summarized in a Q&A.

Q: Hasn't the Polish government of General Jaruzelski made concrete concessions toward human rights, for instance, by releasing the political prisoners?

A: The release of 650 political prisoners is a *trompe l'œil* done on a grand canvas. For one thing, what about the political prisoners he has not released? Another 1,500 at least. For another, don't we realize that it is an old trick of Jaruzelski to release on Monday and re-imprison on Thursday, if he is in the mood to do it. But more striking than this is the kind of existence the released prisoners go on to lead. They are watched. They become lifelong victims in a prison without walls. They are without legal protections. The whole idea of freedom for 650 Poles is a chimera.

Q: But isn't it true that since the lifting of martial law life in Poland is freer?

A: It would be difficult to find a Pole who saw a significant difference between life then, and life now. To the extent that there is any freedom left in Poland, it is the freedom that is given to those who submit: who give up hope. There are continuing detentions, and these take place with special force 48 hours before any scheduled demonstration. There are disappearances, there is kidnapping. The great objective is to encourage the emigration of Solidarity leaders. To encourage the emigration of all of Solidarity would hardly be feasible, inasmuch as there were 14 million members of the organization, and, though it is proscribed, its members still feel themselves attached to it.

Q: But don't economic aid and the credit that will flow to Poland if the Reagan Administration okays the proposals mean help for the Polish people?

A: That is the crowning misunderstanding of American policy. The Polish people receive exactly the level of economic help the Soviet Union wants them to have. Aid that will come in now—credit, machinery, the rest of it—will go to producing wealth that will be consumed by Poland's Soviet overlords, plus the reigning janissaries in Warsaw and elsewhere.

Q: Why don't we hear, then, from more Poles that they oppose loosening the economic sanctions imposed by President Reagan?

A: For one thing because it is dangerous publicly to oppose, in a slave state, the positions of the rulers. But many Poles run that danger. Zbigniew Bujak, a top leader of underground Solidarity, has strenuously argued against a diminution of sanctions. His position reflects the overwhelming sentiment in Poland. We are reminded that the demonstrations when the Pope was in Poland and the monthly commemorations of Solidarity's suppression are continuing testimony to the resistance movement's vitality.

Q: Why is it that the human-rights division of the State Department has not reported more intensively on the Polish situation?

A: We have no explanation for that, no understanding of its relative neglect.

Q: What alternative is there?

A: All aid to Poland should be channeled through charitable organizations, most particularly, in Poland, the church. In that way the people, not the Soviet-run government, are helped.

Q: What would be the result of loosening economic restrictions?

A: You Americans run a great danger. The ties, psychic and emotional, currently felt between the Polish people and the American people are based on the Poles' conviction that the Americans are consistent allies. If they crumble now, the word will go out that American domestic politics and all the empty talk about reconciliation and détente have subverted America's principal commitment, which is to make it tough on slavemasters who rule sadistically over a people longing to be free. □

(Universal Press Syndicate)

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Solution to Last Issue's Trans-O-Gram

ROBERT W. POOLE [JR.]:

On a Low-Cost Lunch

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Personal

(NR extends maximum freedom in this column, but NR's maximum freedom may be another man's straitjacket. NR reserves the right to reject any copy deemed unsuitable. —Pub.)

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TRANS-O-GRAM / SVEND PETERSEN

DEFINITIONS

A. One pursued — 31 27 11 178 56 143 195

B. Member of the Church of England — 35 83 12 86 176 121 112 137

C. To prophesy — 78 114 51 5 33 2 128 147 175 107

D. Pertaining to the American counterpart of Word B — 89 160 153 170 125 117 180 52 13

E. A Christian denomination — 118 127 26 108 181 158 59 167

F. A Christian denomination — 198 144 157 171 200 188 60

G. A large Christian denomination (2 words) — 194 10 196 42 76 93 103 115 122 154 / 161 168 30

H. A Christian denomination — 29 61 21 110 201 67 172 15 71

I. Considers or judges — 9 22 46 53 37

J. What successful churches become — 47 14 109 41 151 159 169 190 17 4 / 58

K. What fundamentalist churches preach (3 words) — 66 3 23 44 48 57 63 80 92 104 / 116 202 75 138 25

L. An unskilled oilfield laborer — 99 16 123 64 173 73 106 38 155 94

M. Seriousness — 129 54 91 43 72

N. What's left of a small city after an industry departs (2 words) — 152 97 177 68 74 133 165 1 39

O. A Holy Roman Emperor, 962-973 — 8 40 45 62

P. Patriotic radio station? — 163 184 130 85

Q. To watch over carefully — 179 126 19 111 135 77 28 84

R. A King of England called "the Unready" — 189 96 164 79 34 113 98 141

S. Puts forward or advances — 193 20 136 120 140 49 183

T. What you might call your mother's sister Sarah (2 words) — 6 174 65 131 50 82 87 105 81

U. Drives back — 124 134 185 36 150 18 146 95

V. Soothsayer (2 words) — 132 95 149 162 145

W. The treatment of disease — 139 102 100 88 69 186 70

X. What candidates ought to discuss — 24 90 101 192 182 156

Y. Subdivisions of an inning in cricket — 119 32 197 148 166

Z. A big-league pitcher for twenty years, both leagues (Norman Louis ___) — 55 199 142 191 187 7

DIRECTIONS

The object of TRANS-O-GRAM is to fill in the puzzle diagram by guessing the words (above) from their definitions, and transferring each letter of the guessed word to the correspondingly numbered square in the diagram. When the diagram is filled in it will spell out a quotation from some published work (reading normally from left to right, black boxes indicating the ends of words); also, when the words have all been filled in above, their initial letters will spell out the author and title of the quoted work. The acrostic feature, and the relative word-lengths in the diagram, will assist in the solution. Spelling and definitions on the authority of *Webster's New International Dictionary*, Second Edition.

See page 56 for solution to last Trans-O-Gram.

■	1 N	2 C	3 K	4 J	5 C	6 T	7 Z	■	8 O	■	9 I	10 G	11 A	12 B	13 D	14 J	15 H	■
16 L	17 J	18 U	19 Q	20 S	21 H	22 I	23 K	■	24 X	25 K	■	26 E	27 A	28 Q	29 H	30 G	31 A	■
32 Y	■	33 C	34 R	35 B	36 U	37 I	38 L	39 N	■	40 O	41 J	42 G	43 M	■	44 K	45 O	46 I	■
47 J	48 K	49 S	50 T	51 C	■	52 D	53 I	54 M	55 Z	56 A	57 K	58 J	59 E	60 F	■	61 H	62 O	63 K
64 L	■	65 T	66 K	67 H	■	68 N	69 W	70 W	■	71 H	72 M	73 L	74 N	■	75 K	76 G	■	77 Q
78 C	79 R	80 K	81 T	■	82 T	83 B	84 Q	■	85 P	86 B	87 T	■	88 W	89 D	90 X	91 M	92 K	93 G
94 L	95 V	■	96 R	97 N	98 R	99 L	100W	■	101X	102W	103G	104K	105T	■	106L	107C	■	108E
■	109J	110H	111Q	112B	113R	114C	115G	116K	117D	118E	■	119Y	120S	■	121F	122G	123L	124U
125D	126Q	■	127E	128C	129M	■	130P	131T	132V	133N	134U	■	135Q	136S	■	137B	138K	139W
140S	141R	■	142Z	143A	■	144F	145V	146U	■	147C	■	148Y	149V	150U	151J	152N	153D	154G
155L	156X	■	157F	158E	159J	160D	161G	162V	■	163P	164R	165N	166Y	167E	■	168G	169J	170D
171F	172H	173L	174T	175C	176B	177N	178A	179Q	■	180D	181E	182X	183S	184P	185U	186W	187Z	188F
189R	■	190J	■	191Z	192X	193S	194G	195A	196G	197Y	■	198F	199Z	200F	201H	202K	■	■

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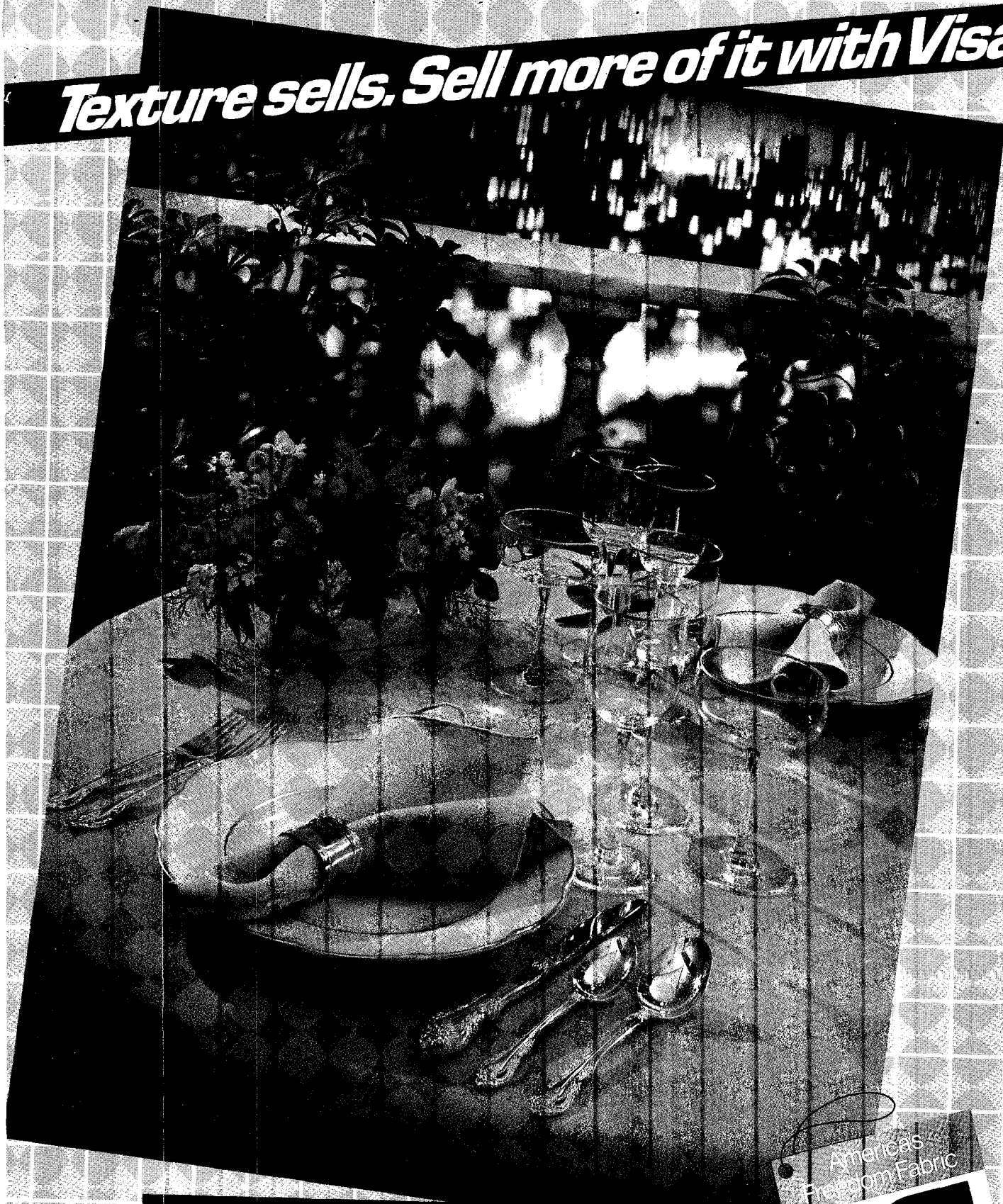

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Peace, liberty, and security.

They depend upon a strong national defense. It is a lesson learned and relearned throughout 5,000 years of recorded history.

By far the least costly way to preserve freedom is to build and maintain an adequate defense.

Opinions may differ on what is "adequate," but informed men and women believe that it must include research and development of the most advanced defense systems. Equally, it requires the production and deployment of superior military equipment that will, if necessary, stand against any hostile force.

And, above all else, there is one essential element in America's national security system: the more than two million men and women who serve with distinction in our armed forces. It is their courage and dedication that are America's most certain guarantees of freedom.

Lockheed

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